

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.17967 of 2015
Decided on : 30.05.2016

Gurpreet Kaur

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr.J.P.S.Sidhu, Advocate, for the petitioner.

Mr.Pankaj Mulwani, DAG, Punjab.

G.S. Sandhawalia, J. (Oral)

Petitioner challenges the order dated 16.07.2014 (Annexure P10) whereby her request for Government job, on account of acquisition of land, has been rejected by the Deputy Commissioner, Mansa. The reasoning which weighed was that her land is less than 4 kanals and the acquisition is only of 40 marlas and therefore, as per the Government circular dated 28.02.2014/03.03.2014, she does not fulfill the criteria to meet the job.

The petitioner has improved upon her case by specifically alleging that apart from 40 marlas of land belonging to her, her mother was also owner of 40 marlas of land, which was also acquired and reference is made to the land acquisition certificate (Annexure P9 Colly.). The same would show that the petitioner and her mother, both had received a sum of Rs.6,19,095/- separately, vide different certificates dated 30.06.2011. Specific averment has also been made in para 10 of the writ petition to this effect that between both of them, they would have 4 kanals of land. Similar averment has also been made in CM-4327-CWP-2016, that 2 kanals of land each of both the mother and the

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daughter had been acquired and she was fully dependent upon her mother and was, therefore, entitled for reconsideration on the ground that her land would fall within the 4 kanals to 2 acres and come in the case of extreme hardship.

Resultantly, the present writ petition is allowed, the order dated 16.07.2014 (Annexure P10) is quashed. The Deputy Commissioner, Mansa is directed to re-decide the issue, keeping in view the above facts and after verifying whether both the mother and daughter are owners of 4 kanals of land *inter se* both of them. He shall also take into account the observations made by this Court in CWP-16541-2014 titled *Baldev Singh Vs. State of Punjab & others*, decided on 29.03.2016. Needful be done within a period of 6 months from the receipt of the certified copy of this order.

MAY 30, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE