

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 20294 of 2016

Date of Decision: 28.9.2016

Surinder Singh and others

....Petitioners.

Versus

State of Punjab and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MR. JUSTICE RAMENDRA JAIN.**

PRESENT: Mr. Mansur Ali, Advocate and
Mr. H.S. Deol, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. The petitioners have prayed for issuance of directions to the respondents to allot the flats to them in view of the policies, Annexures P-2 to P-8, respectively, being 1984 Sikh riot victims. Further, a direction has been sought to the respondents for modification of the order dated 16.9.2016 (Annexure P-14) for putting the names of the petitioners in the draw of lots.

2. The petitioners are 1984 riot victims and Sikh migrants holding Red Cards including Red Card dated 31.2.2010 (Annexure P-1) of petitioner No.1. The petitioners have no flat in their possession. State of Punjab issued the policies (Annexures P-2 to P-8, respectively) for rehabilitation of riot victims and for allotment of flats thereof. The President of the Riot Victim

Committee sought information under the Right to Information Act regarding the flats reserved for Riot Victims which was supplied vide letter dated 9.6.2014 (Annexure P-9) that 50 MIG and 150 LIG flats are kept reserved for the allotment to Riot Victims. Further, a list of unauthorized houses (Annexure P-10) in possession of non-Riot Victims was supplied along with the letter, Annexure P-9. As per the information supplied along with the list (Annexure P-11 Colly), 16 flats which were earlier in possession of the non-Riot Victims are presently in possession of the Riot Victims. The Similar CWP No. 16345 of 2009 titled as Kuljit Singh and others v. State of Punjab and another was disposed of by this Court vide order dated 14.9.2010 (Annexure P-12). The said order was upheld by this Court in LPA No. 260 of 2011. Thereafter, the petitioners filed CWP Nos. 11069 and 12735 of 2016 which were disposed of by this Court vide orders dated 22.6.2016/30.5.2016 (Annexure P-13 Colly). In pursuance thereto, respondent No.3 vide order dated 16.9.2016 (Annexure P-14) told the petitioners that their names would be put in the draw of lots. The petitioners sought modification of the order, Annexure P-14, to the extent that their names be not put in the draw of lots, but to no effect. Thereafter, the petitioners moved a representation dated 9.9.2016 (Annexure P-15) to the respondents for the allotment of plots, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have moved a representation dated 9.9.2016 (Annexure P-15) to the respondents, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, perusing the

present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to take a decision on the representation dated 9.9.2016 (Annexure P-15), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

September 28, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No