

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Civil Writ Petition No.21981 of 2016

Date of Decision: 03.11.2016

Ram Parkash

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rahul Dev Singh, Advocate for the petitioner.

JASWANT SINGH, J. (Oral)

A portion of the land of the petitioner-Ram Parkash is stated to have been acquired vide Notification dated 20.08.1990 for construction of Ranjit Sagar Dam. The petitioner and his wife-Sudersha Devi are stated to have been blessed with two daughters, namely, Rajni and Manisha. The due compensation for his acquired land was duly released.

In the present petition, a challenge has been laid to the order dated 02.12.2014 (**Annexure P-9**), whereby the claim for appointment of a member of the family of the eligible oustee-land owner like that of the petitioner has been declined.

It transpires that the petitioner is 70 years of age and is ineligible for govt. appointment and the prayer for granting appointment in lieu of that right, to his maternal grandson-Asheesh Sharma has been rejected being not a natural legal heir of the petitioner.

It is claimed that the said Asheesh Sharma was adopted by the petitioner and his wife in the year 1990, as is clear from the averment in

Para 1 of the Memorandum of the Adoption Deed dated 10.06.2015
(Annexure P-14 collectively).

A perusal of the aforesaid Adoption Deed shows that Asheesh Sharma is around 31 years of age in the year 2015 and there is no material available on record to show that he was validly adopted in the year 1990 by performing of any religious ceremonies etc. Therefore, the claim for appointment of the alleged member (Asheesh Sharma) appears to have been validly declined vide impugned order dated 02.12.2014 (P-9).

After arguing for sometime, learned Counsel for the petitioner prays for permission to withdraw the present petition so as to enable his client to file a civil suit, *inter alia*, seeking a declaration qua valid adoption of the said Asheesh Sharma in the year 1990 in accordance with law.

Dismissed as withdrawn with the aforesaid liberty.

November 03, 2016

Gagan

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No