

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 22437 of 2016

Date of Decision: 27.10.2016

Parkash Kaur

....Petitioner.

Versus

State of Punjab and others

...Respondents.

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

PRESENT: Mr. Bhupender Banga, Advocate for
Mr. PBS Goraya, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for a direction to respondents No.2 and 3 to regularize her possession of House No. 583, LIG, Phase I, SAS Nagar, Mohali as per the policies, Annexures P-2 to P-9, respectively and in view of judgment of this Court, Annexure P-10, being 1984 Sikh riot victim. Further, a direction has been sought to the respondents to take action on the representation dated 29.7.2016 (Annexure P-12) moved by the petitioner.

2. The petitioner is a 1984 riot victim and Sikh migrant holding Red Card dated 12.6.1986 (Annexure P-1). She is living in House No. 583, LIG, Phase I, SAS Nagar, Mohali. State of Punjab issued a policy dated 3.11.2008 (Annexure P-2) for regularization of possession of the riot

victims at the rates so fixed in the year 1991-92 as per policy dated 14.9.2001 (Annexure P-3). The flats are to be allotted at 1991-92 rates as per policy dated 21.10.2008/16.10.2008 (Annexure P-4). Further, the policies dated 29.12.2009/4.1.2010 (Annexure P-5), dated 29.9.2011 (Annexure P-6) and dated 31.1.2014 (Annexure P-7) were issued by the State of Punjab. The policies dated 15.5.2015/22.4.2015 (Annexure P-8) and dated 9.3.2016 (Annexure P-9) were issued by the State of Punjab for Ludhiana District. 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-10) directing that possession be regularized to riot victims. The said order was upheld in LPA No. 260 of 2011. Similar matter bearing CWP No. 17206 of 2016 came up before this Court and this Court vide order dated 24.8.2016 (Annexure P-11) disposed of the said writ petition with a direction to respondent No.2 to decide the representation of the petitioner therein within a period of three months from the date of receipt of the copy of the order. Accordingly, the petitioner moved a representation dated 29.7.2016 (Annexure P-12) to the respondents for regularization of the possession, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has moved a representation dated 29.7.2016 (Annexure P-12) 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 29.7.2016 (Annexure P-12), 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

October 27, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No