

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

CWP No.22990 of 2016
Date of Decision:-07.11.2016

Naseeb Kaur and another

..... Petitioners

Vs.

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.Ashok Giri, Advocate,
for the petitioners.

RAKESH KUMAR JAIN, J.

This petition is filed by two daughters of one Fateh Singh, who died in Word War II. The petitioners have prayed that a direction be issued to the respondents to allot land or grant cash for the alleged sacrifice of their father in the World War II (between 1939-1945).

Learned counsel for the petitioners has argued that the respondents have admitted that 10 acres of land has been allotted to the widows of the soldiers, who died in 1962, 1965 and 1971 War but there is no record available in respect of the heirs of soldiers, who died in the World War II. It is submitted that as per the information of the petitioners, the soldiers, who had laid down their lives in World War-I, have been compensated with allotment of land but the respondents are not responding even to their representation.

I have heard learned counsel for the petitioners and considered the averments made in the petition.

There is a fallacy in the arguments of the petitioners that their father was a freedom fighter. He was a soldier, who fought for the Crown for the British India in World War II and not for the Republic of India in the War of 1962, 1965 or 1971. The petitioners cannot claim any kind of benefit until and unless the State Government has framed any policy in this regard and no direction can be issued as well.

Consequently, I do not find any justification even in issuing a direction to the respondents for deciding the representation of the petitioners when the information supplied to the petitioners is already on record to the effect that there is no record available of awarding any kind of compensation in the shape of allotment of land to the soldiers, who had laid down their lives in World War-II. Hence, the present petition is found to be without any merit and the same is hereby dismissed.

07.11.2016

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No