

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.2306 of 2016
Date of Decision: February 05, 2016

Surinder Singh

....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.PBS Goraya, Advocate, for the petitioner.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.
Mr.Rupinder S.Khosla, Senior Advocate with
Mr.K.S.Mamrat, Advocate, for respondent No.3.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

Notice of motion.

On our asking, Mr.Rajesh Bhardwaj, learned Additional Advocate General, Punjab accepts notice on behalf of respondent Nos.1 & 2 and Mr.K.S.Mamrat, Advocate accepts notice on behalf of respondent No.3.

Let two copies each of the writ petition be supplied to the State counsel and learned counsel for respondent No.3 during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from the respondent at this stage.

The petitioner is statedly a victim of '1984 anti-Sikh riots' for which 'red card' (P-1) has been issued to him by the Deputy Commissioner, Rupnagar.

The petitioner earlier approached this Court through Civil Writ Petition No.24220 of 2011 and again as a co-petitioner in Civil Writ Petition No.17729 of 2012 seeking a direction for regularization of his possession over LIG Flat No.2620, Sector-66, SAS Nagar Mohali. The above-stated relief was sought in terms of Government Policies including dated 03.11.2008, 29.12.2009/04.01.2010, 29.09.2011 etc. The writ petition was disposed of with a direction to decide the petitioner's claim in a time-bound manner keeping in view the previous decision of this Court in CWP No.16345 of 2009 (Kuljit Singh and others versus State of Punjab and others) decided on 14.09.2010 which was upheld by a Division Bench as well.

In this third round of litigation, the petitioner has averred that in purported compliance to the previous directions, the Deputy Commissioner, SAS Nagar Mohali called him vide memo dated 26.12.2012 (P-11) for personal hearing on 02.01.2013 at 11.00 a.m. The petitioner did appear before the Deputy Commissioner but thereafter no action has been taken by the authorities.

Taking into consideration the totality of circumstances; the nature of relief sought by the petitioner and his socio-economic background, it would not be expedient to relegate him to any other remedy, rather we deem it appropriate to dispose of this writ petition with a direction to the Deputy Commissioner, SAS Nagar Mohali to convene a meeting with the Chief Administrator, GMADA and resolve the

petitioner's claim regarding regularization of his possession and allotment of the above-mentioned LIG flat in accordance with the Government Policies, referred to above, before 30.04.2016.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

February 05, 2016
mohinder

[P.B.BAJANTHRI]
JUDGE