

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.4330 of 2016
Date of Decision:-3.3.2016.

Puran Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

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?

Present: Mr. Atul Yadav, Advocate for the petitioner.

SURYA KANT, J. (ORAL)

- 1.) Notice of motion to respondent Nos.1 to 5 only.
- 2.) Ms. Kirti Singh, learned Deputy Advocate General, Haryana accepts notice on their behalf. Let three copies of the writ petition be handed over to learned State counsel during the course of the day, failing which the writ petition shall stand dismissed for non-prosecution. Since no reply is required from respondent No.6-Gram Panchayat, it is not necessary to call upon it at this stage.
- 3.) The petitioner belongs to backward class community and is a resident of village Mumtajpur, Post Office Bas Padan Ka, Tehsil Pataudi, District Gurgaon. He has averred that he lives in the village

Mumtajpur along with his wife and two children and has been issued Ration Card No.599479. His name is included in the voter list and Voter Identity Card has also been issued. The petitioner has further alleged that he does not have any residential house or plot in the village though his living conditions are below the poverty line. The family is stated to be in financial crisis as the petitioner is a labourer and due to serious ailment of his daughter who is getting treatment from Safdarjang Hospital, New Delhi, he is unable to meet both the ends.

4.) The petitioner, thus, seeks a direction to allot him I.D. Number as APL/BPL and allot a 100 square yard plot in accordance with the Government policy, as well as grant other benefits admissible to the families living below poverty line.

5.) It appears that the Assistant Project Officer and BPL Survey Committee considered the petitioner's claim and Additional Deputy Commissioner vide order dated 21.2.2012 (P-8) included his name in the list of families living Below Poverty Line. However, no family I.D. number was allotted as a result of which the petitioner could not be considered for allotment of 100 square yard plot and/or other benefits admissible to the families living Below Poverty Line.

6.) The record reveals that the Additional Deputy Commissioner, Gurgaon vide memo dated 31.3.2014 forwarded the petitioner's request for issuing I.D. number so that he may draw the benefits admissible to the families living Below Poverty Line but no

final decision appears to have been taken.

7.) As the facts would speak for themselves, the District Administration has already found the petitioner's claim to be genuine but due to non-issuance of I.D. number he is being deprived of the benefits available to the families living Below Poverty Line. We, thus, direct the Joint Secretary-cum-Director, Rural Development Department to take a decision and issue the requisite I.D. number to the petitioner within a period of one month. The Deputy Commissioner, Gurgaon or any other prescribed authority shall thereafter consider the petitioner's claim regarding allotment of 100 square yard plot and as well as for the grant of all other benefits to which he is entitled to.

8.) Disposed of.

9.) A copy of this order be given to Ms. Kirti Singh, learned Deputy Advocate General, Haryana for information and necessary compliance.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

March 3, 2016.

sandeep sethi