

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

COCP 1732/2016

Date of decision:01.05.2017

Sunil

.....Petitioner

v.

K.M.Pandurang,Deputy Commissioner,Sonepat

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Ashish Pannu,Advocate for the petitioner

Mrs.Shubhra Singh,Addl.AG Haryana

Jaswant Singh,J,(Oral).

Petitioner, a resident of Village Tihar Kalan,Tehsil and District Sonepat filed CWP 2160/2014 alleging therein that plots measuring 100 square yards under the Mahatma Gandhi Gramin Basti Yojna were illegally allotted by Deputy Commissioner, Sonepat vide impugned order dated 5.11.2013 to ineligible persons,including some dead persons i.e. respondents 9 to 46 in the said writ petition in a mechanical manner without holding a fair and just enquiry.

The said writ petition was disposed of by this Court vide order dated 27.1.2015 by directing authorities concerned to re-consider the whole issue; hold another fact finding enquiry through some fairly senior officer and give an opportunity to petitioner to substantiate his

allegations as also to private respondents to prove their entitlement. Accordingly the impugned order dated 5.11.2013 was set aside. It was further directed that such an enquiry would not be conducted by an officer below the rank of Sub Divisional Officer(Civil) who was to call for records,hear the petitioner as well as private respondents and the Gram Panchayat and then submit his fact finding report to the Deputy Commissioner, within a period of two months. The decision with regard to regularization of allotment was to be taken by the Deputy Commissioner thereafter only. The entire exercise was ordered to be completed within a period of four months from the date of receiving a certified copy of said order dated 27.1.2015.

Alleging disobedience of said order dated 27.1.2015, instant contempt petition has been filed.

Upon notice, reply by way of affidavit dated 14.9.2016 of answering respondent herein has been filed stating therein that the inquiry in the matter, as directed vide this Court's order dated 27.1.2015 was got conducted through Sub Divisional Officer(C) Sonapat whose report was received in the office of answering respondent non 17.8.2016 and based on the said report a speaking and reasoned order dated 29.8.2016(R-1) was passed holding respondents 11 and 26 as ineligible while respondents 9,10,12 to 25,and 27 to 46 were found eligible for allotment of the plots. The delay in passing final order R-1 has been ascribed to getting the matter enquired through SDO(C)Sonipat on each point. Further an unconditional apology has

also been tendered for said delay.

In view of the reply filed by answering respondent, it is apparent that order dated 27.1.2015 passed by this Court has been complied with and no further action is warranted in the instant contempt petition.

Dismissed as having become infructuous.

01.05.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No