

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

CWP No.4240 of 2000
Date of decision : 15.03.2017

Sukhdev Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. P.S. Khurana, Advocate for the petitioner.

Ms. Lavanya Paul, Assistant A.G. Punjab.

AMIT RAWAL, J. (Oral)

The petitioner has approached this Court seeking writ in the nature of mandamus directing the respondents to allot the alternative land to the petitioner under the prevailing provisions of Displaced Persons (Compensation and Rehabilitation) Act, 1954 owing to the directions given by the Tehsildar Sales, Ludhiana in the order dated 26.06.1978 (Annexure P-2) which reads as under:-

*“Copy of Roznamcha (Physical) Year 1978-79 Village
Galip Kalan R.No.124, Tehsil Jagraon, Distt. Ludhiana
30th April 1979-10 Jeth Samat 1901
Order of cancellation 388
of property of Komal Singh
Today the details of orders is as:-
Tehsildar Mahal-cum-(s) Jagraon Versus Patwari Village
Galab Kalan, Ramgarh, Tehsil Jagraon. This is to inform
you that the property of Sh. Prem Singh son of Nihal Singh,
allottee Village Galab Kalan St. U 1-0 Khasra No.154/7/1
141/10 and Ramgarh St. U 0-3-1/2, which was cancelled*

has been restored vide B.O. No.2750/65/Mal/Reader dated 7.10.65. Tehsildar Sales Ludhiana has been directed on 26.6.78 to allot alternative land to Sh. Komal Singh son of Prem Singh, allottee. Patwari shall report about the allotment to this office.

Sd/- Sh. Bachan Singh

Naib Tehsildar

Stamp Tehsildar Mahal-cum-Sales, Jagraon 23.4.79”

Learned counsel appearing on behalf of the petitioner submits that land was allotted to late Jeon Singh i.e. grandfather of Komal Singh, husband of the petitioner-Sukhdev Kaur vide Rapat No.305 dated 15.08.1958 but the same was cancelled and re allotted to Prem Singh on 07.10.1965, thus, aforementioned direction was required to be adhered to and in this regard many representations dated 05.04.1979, 08.08.1985, and 06.07.1988 (Annexures P-3, P-4 and P-5) has been submitted.

In view of the aforementioned fact, present writ petition is disposed of with direction to respondent No.2-Deputy Commissioner-cum-Chief Sales Commissioner, Ludhiana to decide the case of the petitioner i.e. representations (Annexures P-3, P-4 and P-5) for reallocation of the alternative land, as original allotment stand cancelled, within a period of four months from the date of receipt of certified copy of the order.

15.03.2017

pawan

(AMIT RAWAL)

JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No