

HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-19442-2015

Date of Decision: January 10, 2017

Hari Chand and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

- |    |                                                                       |         |
|----|-----------------------------------------------------------------------|---------|
| 1. | To be referred to the Reporters or not?                               | Yes/No  |
| 2. | Whether the judgment should be reported in the Digest?                | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No  |

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Present: Mr.Gautam Kaile, Advocate for  
Mr.Ram Pal Verma, Advocate  
for the petitioners.

Mr.R.D.Sharma, DAG, Haryana.  
Mr.S.P.Chahar, Advocate  
for respondent Nos.7 & 8.

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**SURYA KANT, J.**

The petitioners belong to marginal section of the society as all of them are landless scheduled castes or backward class. They were allotted 100 sq.yards plots by the Gram Panchayat of the village in the year 1976 and registered gift deeds were duly executed.

[2] Vide impugned orders the gift deeds have been cancelled and allotments have been revoked on the ground that petitioners have not constructed any house at the allotted site so far. On the other hand claim of the petitioners is that due to poverty and meagre resources of income, they

could not raise the constructions. It is their case that grant of Rs.50,000/-,

which is admissible to a person like them for construction of the house, was also not released. Details of the alleged residential houses already owned by them has not been furnished by the respondents.

[3] We have heard learned counsel for the parties and gone through the record. It cannot be overlooked that after 1976, the families must have largely expanded resulting into additional requirement for residential accommodation for the petitioners' families. At the same time, they cannot be permitted to defeat the very purpose of allotment or to keep the plots for profiteering purpose. The object of allotment must be achieved within a reasonable time. Keeping all the relevant factors in view, we dispose of this writ petition with a direction that let the petitioners construct the allotted sites and submit their respective affidavits alongwith photographs of their houses to the Sarpanch of the Gram Panchayat within a period of one year, i.e. before 31.12.2017, failing which the Gram Panchayat shall be at liberty to execute the impugned orders. However, if the petitioners construct their houses, the impugned orders shall be deemed to have set aside. Ordered accordingly.

**( SURYA KANT )**  
**JUDGE**

**January 10, 2017**  
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**( SUDIP AHLUWALIA )**  
**JUDGE**

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|----|-----------------------------|--------|
| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ?        | Yes/No |