

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

CWP-6381-2011

Date of Decision: February 02, 2017

Naubhat and othersPetitioners
 Versus
 State of Haryana and othersRespondents

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

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| 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.Deepa Jain, Advocate
 for the petitioners.
 Mr.Deepak Balyan, Addl.AG, Haryana.

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SURYA KANT, J.

The petitioners claim themselves to be living below poverty line. They applied for allotment of 100 sq.yards residential plots under the Haryana Government Scheme, dated 01.02.2008 (Annexure P-1), but having been denied such allotment by the Gram Panchayat, the instant writ petition has been filed.

The Block Development and Panchayat Officer, Ballabgarh, District Faridabad, has filed additional affidavit dated 19.08.2014 and as per averments made therein, the eligibility of all the applicants was considered by the Village Level Committee consisting of Sarpanch, village Secretary, village Patwari and Headmaster of the school alongwith *Numberdar* of the scheduled castes category. It is further averred that a list of 105 persons was prepared out of only 33 were found eligible. The petitioners are not

amongst those 33 persons. It is further averred that 19 more persons were

found eligible after rejection.

We have heard learned counsel for the parties and gone through the record.

It appears that the report submitted by the Village Level Committee was not based upon minute consideration of individual's claims and for that reason alone, 19 more persons were later on found eligible. Since the petitioners claim that they are living below poverty line and do not have any income, it does appear that their claim too requires reconsideration by a Committee consisting of independent persons, namely, other than the Sarpanch of the village. We say so for the reason that the petitioners have made specific allegations against the Sarpanch, as according to them only who were close to the Sarpanch, have been included in the eligible list. With a view to wipe out the apprehension of injustice from the minds of petitioners, the Deputy Commissioner, Faridabad is directed to constitute a fresh Committee of at least three officials, who shall re-verify the claims of petitioners and determine whether they are entitled to allotment of 100 sq.yards plots. The exercise shall be undertaken within a period of three months from the date of receipt of a certified copy of this order.

Disposed of.

(SURYA KANT)
JUDGE

February 02, 2017
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(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned ?
2. Whether reportable ?

Yes/No
Yes/No