

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.17148 of 2017 (O&M)

Date of Decision: 23.10.2017

Girdhari Lal

...Petitioner

VS.

State of Haryana & Ors.

... Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE SUDHIR MITTAL**

Present: Mr. Lokesh Sharma, Advocate for the petitioner

Mr. Vishal Garg, Addl. AG Haryana

Mr. Ram Darshan Yadav, Advocate for Gram Panchayat

SURYA KANT, J. (Oral)

(1) The petitioner is a resident of village Kakoria, Tehsil and District Rewari. He is statedly living below poverty line. It is averred that the petitioner is fully eligible for allotment a 100 square yard plot under the 'Mahatma Gandhi Gramin Basti Yojna', as he neither owns a residential house nor any immovable property in the village. It further appears that the B.D.P.O., Rewari and Gram Panchayat of the village undertook an exercise to prepare a list of persons found eligible for allotment of 100 square yard plots. Some of the residents were left out who made complaints to the Lokayukta, Haryana. In complaint No.565 of 2013, the petitioner was also one of the complainant. Lokayukta, Haryana, after getting a fact-finding enquiry conducted from the DDPO, Rewari, held that all the complainants including the petitioner, except one Smt.Savitri wife of Dalip, were entitled to allotment of residential plots as per the survey report of 2007.

(2) The respondents have filed their written statement which is taken on record. It is averred that as per the enquiry report of DDPO, Rewari

is totally silent as to on what basis the petitioner was found ineligible. Though it has been reiterated time and again that he was not found eligible.

(3) It thus emerges out that though the petitioner was found entitled to allotment of a plot by the Lokayukta, Haryana, but the said report has been implemented partly as no reason has come-forward for denying allotment to the petitioner on the ground that he was not found eligible. In this view of the matter, we dispose of this writ petition with a direction to the Deputy Commissioner, Rewari; DDPO, Rewari, and BDPO, Rewari to consider the claim of the petitioner in the light of the report of the Lokayukta, Haryana and pass an appropriate order within a period of three months from the date of receiving a certified copy of this order.

(Surya Kant)
Judge

23.10.2017
vishal shonkar

(Sudhir Mittal)
Judge

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

Yes
No