

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.1804 of 2017 (O&M)

Date of Decision: 01.02.2017

Immamudin & Ors.

... Petitioners

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE SUDIP AHLUWALIA

Present: Mr. Yash Dev Kaushik, Advocate for the petitioners

SURYA KANT, J. (Oral)

(1) Notice of motion to respondent Nos.1 to 3 only at this stage.

(2) On our asking, Mr. Deepak Balyan, Addl. AG Haryana accepts notice on their behalf. Let three copies of the writ petition be supplied to the State counsel during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution. In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from respondent Nos.1 to 3 or to serve respondent No.4 at this stage as no order on merits prejudicial to its interest is being passed.

(3) The petitioners are residents of VPO Khandawali, Tehsil and District Faridabad. They claim themselves to be living Below the Poverty Line (BPL) to whom the Gram Panchayat decided to allot plots of 100 square yards. The grievance is that though the petitioners are fully eligible for such allotments under the 'Mahatma Gandhi Gramin Basti Yojna' which the State Government decided to implement vide Policy memo dated 01.02.2008 (P-1) but the respondents are not considering their claim for no valid reason. It is further alleged that the respondents have allotted plots to ineligible persons who are not

to identify eligible persons was undertaken and the petitioners were included in such list but no follow up action has taken by the Deputy Commissioner, Faridabad or the Gram Panchayat.

(4) Having heard their learned counsel and taking into consideration the fact that the petitioners have placed reliance on a Government Policy which, according to them has not been given effect, the writ petition is disposed of without expressing any views on merits, with a direction to respondent nos.2 and 3 to verify the claim of the petitioners as contained in this petition and take an appropriate decision in accordance with law, within a period of four months from the date of receiving a certified copy of this order.

(5) Ordered accordingly. **Dasti**.

(Surya Kant)
Judge

01.02.2017
vishal shonkar

(Sudip Ahluwalia)
Judge

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

Yes
No