

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.21936 of 2017.

Date of Decision: September 26, 2017

Sunil and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Gaurav Singla, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners are residents of village Dadhota, Tehsil and District Palwal. They statedly belong to Scheduled Caste and Backward Class communities and are living below poverty line. It is further averred that APL/BPL cards have been issued to them. It is also averred that they do not own any residential house or agricultural land in the village.

The State Government decided to implement 'Mahatma Gandhi Gramin Basti Yojna' through the Gram Panchayats and under the said Scheme, 100 square yard plots are to be allotted to such residents of the village who are living below poverty line. Such an exercise was undertaken in the village of the petitioners but their names do not find mention in the final list prepared for allotment. The aggrieved petitioners made representations to the Sarpanch as well as Deputy Commissioner, Palwal but finding no response thereto, the instant writ petition has been filed.

The issue whether the petitioners are eligible for allotment of 100 square yard plots in terms of the Government Policy is essentially a question of fact which can be determined by the authorities on appreciation

of proof or material relied upon in this regard. Since Gram Panchayat has not found the petitioners eligible, we deem it appropriate to dispose of this writ petition with liberty to the petitioners to submit their claim with supporting documents to the Deputy Commissioner, Palwal, who shall order a fact-finding enquiry to determine the claim of each petitioner and decide the same by way of a reasoned order within a period of six months from the date of receiving such claim/representation from the petitioners.

Dasti.

[SURYA KANT]
JUDGE

September 26, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No