

CWP-6196-2013

Date of Decision : 03.02.2017

Ramesh Chand Sharma

.....Petitioner

versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Ashok Bhardwaj, Advocate
for the petitioner.

Ms. Anu Pal, Asstt.A.G., Punjab.

M.M.S. BEDI, JUDGE (ORAL)

Petitioner has not been released the amount of Rs.50,000/- being winner of draw of lottery on the ground that the ticket produced by him was torn out.

A perusal of Rule 21 of the Punjab State Lotteries Rules, 2015 indicates that in case of any dispute, having arisen on account of any action or decision taken, it shall be referred to the Secretary to the State Commission, Department of Finance, who will act as a Sole Arbitrator and his decision shall be final and binding.

It will not be feasible for this Court to enter into the disputed facts. However, it is observed that Rule 15 of the aforesaid Rules requires to be construed to confer ineligibility to the release of lottery money, in case the extent to which the ticket is torn out, is such that its authenticity or validity is doubtful. The meaning which is required to be given word "torn out" has to be in context to the word "forged" which exists in Rule 15. It is observed that in case, the Secretary finds that the ticket is not forged, the claim of the petitioner

may be entertained. It is further directed that it will be open to the Secretary to get the tickets verified, as per the provisions of Section 15 (2) of the aforesaid Rules. It will be appreciated in case, the entire procedure of assessment, pertaining to the ticket, possessed by the petitioner, is finalized within a period of six months, from the receipt of certified copy of the order. The petitioner will approach the above said authority, within a period of 15 days, after receipt of the copy of the order for adjudication of the controversy, in the light of the above said observations.

(M.M.S. BEDI)
JUDGE

03.02.2017

Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No