

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.25360 of 2017.

Date of Decision: November 07, 2017

Rajbir and another

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Bhawna Grewal, Advocate, for
Mr.Sandeep Kumar Yadav, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners are residents of village Maheshwari, Tehsil and District Rewari. They statedly belong to Scheduled Caste community and are living below poverty line. It is 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. The petitioners also applied for allotment of 100 square yard plots. The then Sarpanch and Members of the Gram Panchayat initially included their name in the list but their names do not find mention in the final list prepared for allotment. It is alleged that due to political rivalry and change of Sarpanch, their names have not been included in the final list. The aggrieved petitioners made a representation dated 27.08.2011 to the Deputy Commissioner, Rewari followed by a

reminder dated 02.12.2012 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.

In the light of the representation made by the petitioners as well as keeping in view the Government Policy, we deem it appropriate to dispose of this writ petition with a direction to the Deputy Commissioner, Rewari to hold 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 four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

November 07, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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