

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.4385 of 2016.

Date of Decision: February 13, 2017

Sat Pal Singh

versus

.....Petitioner

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Pritpal Singh Miglani, Advocate, for the petitioner.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.
Mr.Rupinder S.Khosla, Senior Advocate with
Mr.Junaid Singh Bakshi, Advocate, for respondent No.3.

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Surya Kant, J. (Oral)

The petitioner is a victim of 1984 anti-Sikh riots. He has laid challenge to the order dated 03.02.2016 (P-9) vide which the Deputy Commissioner, SAS Nagar Mohali has rejected his claim for allotment of a booth in terms of the policy for rehabilitation of riot-victims.

The Deputy Commissioner has passed the self-speaking order dated 03.02.2016 in compliance to the directions issued by this Court. The reasons for rejecting the petitioner's claim as assigned by the Deputy Commissioner in the impugned order are as follows:-

“..... After inspection, it is found that red card in the name of petitioner was issued by the Deputy Commissioner vide Red Card No.LDH-SML-OTH/10 and through this Red Card the petitioner has obtained Rs.2.00 from Sub Divisional Magistrate, SAS Nagar. The petitioner has been allotted LIG houseNo.1433/24, Phase-

II, SAS Nagar by the Manager Estate, Punjab Housing Development Board, Chandigarh under the riots affected quota. In this regard entry was made in the red card of the petitioner. As per the above order of Hon'ble High Court and as per the instructions/policy of Government, petitioner has already been allotted one house under the riot affected quota.

From all the above facts and in view of the instructions which were issued vide letter No.1/8/97-RR/1/160010 dated 23.10.2001 from the Government, the claim of the petitioner Satpal Singh son of Shri Attar Singh regarding allotment of booth is hereby dismissed. Because the petitioner has been allotted a LIG House No.1433/24, Phase-II, SAS Nagar under the riots affected quota.....”

It may be seen that the petitioner has already got financial assistance and a residential house has also been allotted to him being the riot-victim. The Government Policy referred to by the Deputy Commissioner prohibits admissibility of more than one benefit to a riot victim. The petitioner cannot be allotted commercial booth in addition to the residential house at the cost of other riot-victims. It needs to be mentioned here that despite several directions issued by this Court from time to time, there are still some riot-victims left without any rehabilitation package. If the petitioner is granted double benefit it would obviously be at the cost of a genuine and *bonafide* riot-victim, awaiting for such relief.

No case to interfere with the order under challenge is made out.

Dismissed.

[SURYA KANT]
JUDGE

February 13, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

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