

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.5256 of 2017.

Date of Decision: March 15, 2017

Manmohan Singh and others

.....Petitioners

versus

Union Territory, Chandigarh Administration and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Ramandeep Singh Pandher, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners were originally residents of villages Shahpur, Madhrian (Fatehgarh) and Kanthala. The land of these villages alongwith *shamlat deh* was acquired for the development of IIInd phase of Chandigarh City. The land and residential houses of the petitioners were also acquired for the said public purpose resulting into their resettlement in nearby villages which now fall in the adjoining district of SAS Nagar Mohali (Punjab) and Ambala (Haryana).

[2] The petitioners on this premise claim themselves to be 'local displaced persons' (oustees) and seek directions to the Chandigarh Administration to formulate a Scheme for rehabilitation of 'oustees' of Chandigarh Phase-II. The petitioners have further averred that in the similar manner some villages were acquired for the development of Chandigarh City Phase-I and all the affected residents of those villages have been rehabilitated by allotting them residential plots or dwelling units. The petitioners thus allege discrimination and urge that they being similarly placed uprooted land-losers are entitled to be rehabilitated by the Chandigarh Administration. Reliance is placed upon the decisions of this

Court dated 06.09.2012 passed in CWP No.14543 of 2011 (Mohd. Akram

CWP No.5256 of 2017 [2]

and others versus U.T. Chandigarh and others (P-14); 20.11.2012 passed in CWP No.18750 of 2008 (Sukhdev Singh and others versus Union Territory, Chandigarh and others (P-15), and 05.12.2013 passed in CWP No.14300 of 1996 (Mohan Singh versus UT of Chandigarh and others and other connected cases (P-16), wherein also similarly placed oustees of Chandigarh approached this Court for their rehabilitation. In the last cited decision (P-16) even assurance was given to this Court that 166 dwelling units constructed by the Chandigarh Housing Board shall be allotted to the oustees on 'no profit no loss' basis.

[3] We find from the record that the petitioners have raised their claim from time to time by way of various representations including dated 25/26.09.2012 (P-13) etc. Since the petitioners' case is that their claim is under consideration but no decision is being taken by the authorities, we dispose of this writ petition without expressing any views on merits, with a direction to the respondents to treat this writ petition as comprehensive representation on behalf of the petitioners and redress their grievances by passing a reasoned order within a period of four months from the date of receiving a certified copy of this order.

[4] The petitioners are directed to deposit six copies of the writ petition with the Registry which shall be sent to the respondents alongwith a copy of this order.

[5] Ordered accordingly. Dasti.

[SURYA KANT]
JUDGE

March 15, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

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