

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CWP-14502-2018
Date of Decision: September 17, 2018

Kesar Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

2. CWP-14581-2018

Gurdev Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.Jaideep Verma, Advocate for the petitioners.

.....

SURYA KANT, J.(ORAL)

This order shall dispose of the above captioned writ petitions as the point in issue involved in both the cases is common in nature. For the sake of convenience, the facts are being extracted from CWP-14502-2018.

[2] The father of petitioners statedly purchased land measuring 500

village Sunet, Tehsil & District Ludhiana vide registered sale deed dated 12.07.1974. The aforesaid land was part of the chunk of land acquired by State of Punjab for Improvement Trust, Ludhiana (for brevity, 'the Trust') for the development of '475 Acres Development Scheme'. The land was acquired vide Award dated 04.08.1981. The expropriated owners, defined as 'Local Displaced Persons' under the Rules, were asked to apply for allotment of plots on different dates in the year 1982. The father of the petitioners neither applied nor deposited the earnest money. Instead a writ petition was filed in the year 2003 and in compliance thereto a speaking order was passed by the Trust on 14.01.2004 pointing out, inter alia, that no earnest money was ever deposited. Thereafter the petitioner is said to have deposited a sum of Rs.1000/- vide receipt dated 17.02.2004. However, claim of the petitioner was rejected vide order dated 08.04.2005. Almost a decade later, the petitioners filed CWP-8621-2013 after approaching the departmental authorities and the said writ petition was disposed of on 25.04.2013 with a direction to the Chairman, Improvement Trust, Ludhiana, to consider his claim as contained in the representation dated 27.02.2013. In purported compliance to those directions, the Trust again passed a speaking order dated 11.10.2013 whereby claim of the petitioners for allotment of plot under the 'Local Displaced Persons Category' was turned down.

[3] The aforesaid order is now under challenge after more than five years.

[4] As the facts would speak for themselves, the writ petitions suffer from inordinate and unexplained delay and laches. It is liable to be

dismissed on this score alone. Even on merits, the petitioners or their

predecessors having failed to apply within the stipulated period, no right can be said to have accrued in their favour to seek allotment as a matter of right.

[5] Dismissed.

(SURYA KANT)
JUDGE

September 17, 2018
meenuss

(SUDIP AHLUWALIA)
JUDGE

- | | | |
|----|-----------------------------|--------|
| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |