

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Civil Writ Petition No.15880 of 2018
Date of Decision: July 4th, 2018

Ruli Ram and others

...Petitioners

Versus

The State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

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

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court praying for a mandamus to be issued to the respondents to decide the claim of the petitioners for allotment of the land in dispute in pursuance to the order dated 01.03.2016 passed by this Court in RSA No.2961 of 2013, wherein the Court had specifically held the petitioners to be not the owners of the land on the basis of sale deed dated 20.01.1971 as the said sale deed from the auction purchaser had violated the terms of the auction but had only granted injunction from interference in peaceful possession of the petitioners except in due course of law to be dispossessed. A floating reference has been made that the appellants-plaintiffs may seek allotment in accordance with law.

2. Counsel for the petitioners contends that because of the observations of this Court, petitioners have a right for allotment of the land which is in their possession. Claiming the said benefit, they have approached the respondents by way of a representation and thereafter with legal notices but the respondents have not responded to the same.

3. Having considered the submissions of the counsel for the petitioners, the prayer made by the petitioners cannot be accepted as they do not have any legal right for claiming allotment thereof. Nothing has been

allotment of the land. Rather it stands established as per the decrees of Civil Court that they have no title and are in possession of the land illegally.

4. The writ petition is devoid of any merit. The same, therefore, stands dismissed.

5. It appears that the officials of the department have till date not initiated action/taken steps to oust the petitioners from the land of the Rehabilitation Department which is in their illegal possession. Let action be initiated by the District Collector, Hisar, and the Tehsildar Sales-cum-Managing Officer, Hisar-respondents 2 and 3 respectively, if already not done so, within a period of six weeks from the date of receipt of copy of this order.

6. Copy of this order be sent to these respondents forthwith for information and compliance.

July 4th, 2018

Puneet

(AUGUSTINE GEORGE MASIH)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No