

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

CWP No.21893 of 2018 (O&M)

Date of Decision: 30.08.2018

Parminder Singh

...Petitioner

VS.

State of Punjab & Ors.

... Respondents

**Coram : Hon'ble Mr.Justice Surya Kant
Hon'ble Mr.Justice Sudip Ahluwalia**

Present: Mr. Mansur Ali, Advocate for the petitioner

SURYA KANT J. (Oral)

(1) The petitioner is stated to be a victim of 1984 anti-Sikh riots. He has been issued Red Card (P1) by the Deputy Commissioner, Ludhiana. It is averred that the petitioner and his family are in possession of MIG Flat No.412, Sector 40, Samrala road, near Baba Jaswant Singh Dental College, Focal Point, Ludhiana from last 3-4 years. It is further claimed that the father of the petitioner or his brother, namely, the entire family resides in the said flat as no other 'dwelling unit' or 'commercial unit' has been allotted to them being riot victims.

(2) The precise claim in the instant writ petition is that the possession of the above-stated flat deserves to be regularized in favour of the petitioner/his family in view of the decision of this Court in **Kuljit Singh & Ors. vs. State of Punjab & Anr. (CWP No.16345 of 2009)** decided on 14.09.2010 (P8) which was upheld by a Division Bench vide judgment dated 15.02.2011 (P9). Reliance is also placed on the directions issued by this Court in somewhat similar circumstances in (i) **Manjit Singh & Ors. vs. State of Punjab & Ors. (CWP No.18227 of 2010)** and other connected cases decided on 15.02.2011 (P10); (ii) **Parkash Kaur vs. State of Punjab & Ors.**

(CWP No.16385 of 2012) decided on 24.08.2012 (P10/A). The petitioner has in this regard submitted his claim before the Deputy Commissioner, Ludhiana as well as the Chief Administrator, GLADA vide representation dated 26.07.2018 (P21). It is maintained that in terms of the policies framed by the State of Punjab as well as the Central Government for rehabilitation of 1984 Riot-victims, the subject Flat deserves to be allotted and regularized in favour of the petitioner.

(3) Having heard learned counsel for the petitioner and keeping in view the stand taken in the writ petition that he is a Red Card holder being victim of 1984 riots and that no other immovable property of whatsoever nature has been allotted to the family of the petitioner, the writ petition is disposed of with a direction to Deputy Commissioner, Ludhiana to verify the above-mentioned claim of the petitioner and take a decision regarding regularization/allotment of the subject flat in favour of the petitioner or his family in accordance with the Government policies and the decisions rendered by this Court cited above.

(4) Let the appropriate decision be taken within a period of three months from the date of receipt of certified copy of this order.

(5) Till such time, *status quo re*: possession shall be maintained.

(Surya Kant)
Judge

30.08.2018
vishal shonkar

(Sudip Ahluwalia)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No