

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.24792 of 2018.

Date of Decision: September 27, 2018

Kuldeep Singh and another

.....Petitioners

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Himanshu Chhabra, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The land owned by petitioners' father late Harbhajan Singh was acquired by the State of Punjab for Ludhiana Improvement Trust in the year 1972. The petitioners' father is said to have applied for allotment of a plot under the category of 'Local Displaced Persons' vide application dated 28.05.1980 alongwith earnest money of Rs.500/-. After giving a long story as to how the petitioners' father was approaching the Trust, the record reveals that the petitioners filed CWP No.20434 of 2016 (Kuldeep Singh and another versus State of Punjab and another) which was disposed of on 13.12.2016 with a direction to Chairman of the Trust to decide the representation of the petitioners dated 08.12.2015. The said representation has been accepted by the Chairman of the Trust vide order dated 16.04.2018 (P-7) holding that the petitioners are entitled to allotment of 500 square yard plot as 'local displaced persons'. Interestingly, the order further recites that the petitioners have to deposit earnest money of Rs.500/- alongwith interest @ 12% per annum w.e.f. 04.08.1981, i.e., the date of award passed by the Land Acquisition Collector.

The grievance in the instant writ petition is only to the limited extent that no formal allotment has been made thereafter. In such like several cases in past, this Court issued directions in no uncertain terms that in case belated claims of the local displaced persons are accepted by the Trust, the allotment shall be made at the 'current allotment price'. We see no reason for Chairman of the Trust to deviate from that decision or take a decision prejudicial to the interest of the Trust.

The writ petition is thus disposed of with a direction to the 2nd respondent that let follow-up action pursuant to the order dated 16.04.2018 for allotment of plot be taken but such allotment must be made at the allotment price as prevailed in the year 2016, i.e., when the petitioners approached this Court. Let an appropriate decision be taken within a period of three months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

**[SURYA KANT]
JUDGE**

September 27, 2018
mohinder

**(SUDIP AHLUWALIA)
JUDGE**

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