

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 29868 of 2017 (O&M)

Date of Decision: 15.05.2018

Amar Nath and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Vinod Kumar, Advocate
for the petitioners.

AVNEESH JHINGAN, J.(oral)

The present petition has been filed by the petitioners for direction to respondents to allot residential plot to the petitioners.

As per the averments in the petition, the petitioners migrated from Pakistan during partition of the country. When they came to India, the resident of village Bagar and Jandwal provided food and shelter on humanitarian ground and the landlords of the said villages permitted them to stay on their lands. Reliance is placed upon a letter Annexure P-1 dated 27.06.1977 whereby they were informed that they had eligibility for allotment of plot in village Harial/Baghar being landless workers in the rural area and possession of plot would be given to them after the development of the site and proper Sanad will be issued in due course.

Learned counsel for the petitioners states that the said allotment was cancelled without hearing. No such cancellation order is there on record and even the date of the same is not mentioned.

A representation was made by the petitioners to Deputy Commissioner, Pathankot on 10.01.2015 stating that the peoples of the village allocated the land for their settlement but till date they have no land

for the residence.

This writ petition appears to be an endeavour to revive a dead and stale claim. The letter relied upon is of the year 1977. There is nothing on record to show that the said letter was issued under which scheme. Moreover from 1977 to 2015 no steps have been taken by the petitioners for almost 38 years. Even in this petition, there is no challenge to the alleged cancellation of the said plots.

In such circumstance, no case is made out for issuance of directions to the respondents.

The writ petition is accordingly dismissed.

(AVNEESH JHINGAN)
JUDGE

15.05.2018
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Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No