

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

177

CWP-36869-2019

Date of decision: 19.12.2019

Iqbal Chand

...Petitioner

Vs.

State of Punjab and Others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. Talwinder Singh, Advocate
for the petitioner.

RAKESH KUMAR JAIN, J.(ORAL)

The petitioner has prayed for the issuance of a writ in the nature of *mandamus* to direct respondent nos.1 to 7 to initiate an appropriate action against the private respondent nos. 8 to 13, who are allegedly illegally raising construction on the *shamlat* land.

In short, the petitioner was aggrieved against the allotment of 5 Marlas plots to 26 persons which were carved out from the *shamlat* land but since his representation was not being decided, in one way or the other, therefore, he filed CWP No.17400 of 2018, which was disposed of on 18.07.2018 with a direction to the Deputy Commissioner to look into the allegations of the petitioner and pass a speaking order as expeditiously as possible. Thereafter, the Deputy Commissioner passed the order dated 31.10.2019 after obtaining an inquiry report from the Additional Deputy Commissioner (Development), Ferozepur, in which out of 28, only 6 beneficiaries were found ineligible for

allotment of aforesaid plot(s) and as such, their allotments were cancelled.

Counsel for the petitioner has submitted that the impugned order is illegal as the Deputy Commissioner has not taken into consideration the earlier inquiry report dated 16.12.2016 of the Block Development and Panchayat Officer, Guru Har Sahai.

We have heard counsel for the petitioner and after perusing the record, are of the considered opinion that the impugned order does not suffer from any illegality because the Deputy Commissioner has obtained a fresh inquiry report from the Additional Deputy Commissioner (Development), Ferozepur in the year 2019, which is over and above the report dated 16.12.2016 prepared by the Block Development and Panchayat Officer, Guru Har Sahai in order to decide eligibility of the beneficiaries for allotment of 5 Marlas plots.

No other point has been raised.

Thus, in view of the abovesaid facts and circumstances, we do not find any merit in the present petition for the purpose of interference by this Court and hence, the same is hereby dismissed, though without any order as to costs.

(RAKESH KUMAR JAIN)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

December 19, 2019

Poonam Sharma

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No