

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.27683 of 2019 (O&M)
Date of decision: February 25, 2020

Ganga Ram ...Petitioner

Versus

State of Haryana and others ...Respondents

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

Present: Mr. Gaurav Grover, Advocate for the petitioner.

Mr. Samarth Sagar, Addl. A.G. Haryana.

Mr. J.S. Hooda, Advocate for respondent No.8- G.P.

Mr. Devender Kumar, Advocate for respondents
No.9, 11, 13, 14 & 15.

Rakesh Kumar Jain, J.(oral)

This petition is filed for seeking quashing of the order/ resolution dated 16.12.2008 (Annexure P-2) and to quash the list of beneficiaries and to cancel the registries executed by the Gram Panchayat in favour of respondents No.9 to 16.

The petitioner had filed an application (Annexure P-2) on a printed proforma for allotment of a residential plot measuring 100 sq. yards. The petitioner himself has mentioned in para 7 of the application that the annual income of his all family members is ₹72,000/-. His application has been rejected on the ground that he was not found eligible as his income was more than the prescribed limit and he was also found in illegal

possession of the Panchayat land.

Counsel for the petitioner has though vehemently argued that the enquiry report against him was false but he could not deny the fact that he himself has mentioned in para 7 of the application form that the income of all his family members is ₹72,000/-, whereas the scheme provides that the income of poor family should not be more than ₹45,000/-. Secondly, the application of the petitioner has been rejected as he has been found in illegal possession of the Panchayat land. The petitioner has nowhere averred in the petition that he is not in illegal possession of the Panchayat land. Therefore, it is presumed that he was in illegal possession of the Panchayat land because of which he did not deny the said allegation.

Thus, seeing from any angle, we do not find any merit in this petition and the same is hereby dismissed.

(RAKESH KUMAR JAIN)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

February 25, 2020
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No