

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-14845-2021

Date of decision: 24.08.2021

(PROCEEDINGS THROUGH V.C.)

Puran Chand

..... Petitioner

Versus

The State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

PRESENT: Mr. J.S. Saneta Advocate for the petitioner.

Mr. Raman Shrma, Addl. A.G., Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

In pursuance of the order passed by this Court on 13.08.2021, a statement has been received from the Block Development and Panchayat Officer, Indri, District Karnal, according to which the gift deed dated 22.12.1983 specified that the allottee shall use the said plot as owner and shall neither alienate/sell, nor shall gift/transfer the same to any person and shall construct a residential house upon the said plot within a period of 12 months of the allotment. The said terms and conditions were binding upon the person who had been so gifted the plot by the Gram Panchayat. The sale deed dated 08.04.1991 in favour of

respondents No. 5 to 9, therefore, will be violative of the said terms and conditions.

As regards, the new scheme known as Mahatma Gandhi Gramin Basti Yojna, which was formulated in the year 2008, the allottee can alienate/sell/mortgage the said plot after a period of 20 years and the construction has to be carried out on the said plot within a period of 5 years.

Having considered the stand of the Government of Haryana, we leave it open to the parties to avail of the remedy, in accordance with law.

The present writ petition stands disposed of, with the above observation.

(AUGUSTINE GEORGE MASIH)
JUDGE

August 24, 2021
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(ASHOK KUMAR VERMA)
JUDGE

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