

113 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-14053-2021 (O&M)
Date of Decision: 29.07.2021

Rachhpal Singh and others

..... Petitioners

versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. S.S.Salar, Advocate for the petitioners.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioners herein are the legal heirs of late Bachan Singh who unfortunately expired on 25.05.2011.

It has been averred in the writ petition that late Bachan Singh was owner of the land comprised in Khasra number 9030 (3-4), 22418/903 measuring 0-1 to the extent of 30/65 share. He was also owner of 1/8 share of Khasra number 9113 (4-8), 9114 (3-12), 9115 (3-18) totalling 11-18. He was also owner of 1/3 share of Khasra No. 9103 (2-1), 9104 (2-0), 9105 (4-1), 9106 (4-0), 9107(3-11), 9108 (4-0), 9109(4-14) total measuring 24K-7M in Revenue Estate No.307, village Jalandhar-3.

Afore-described land is stated to have been acquired vide award dated 29.04.2003 towards the 170 Acre Development Scheme known as Surya Enclave at Jalandhar. Late Bachan Singh in the capacity of being as displaced person submitted an application on the prescribed proforma and deposited as earnest money an amount of Rs. 30,000/- vide application No.

11766 on 05.12.2003.

As per counsel late Bachan Singh was entitled for allotment of a plot admeasuring 500 Sq.yards but was misled by the officials as regards entitlement and as such applied for allotment of a 100 Sq.yards plot.

Short grievance raised in the petition is that such application for allotment of a 100 Sq.yards plot was not finalised and in the meanwhile the applicant died on 25.05.2011.

Prayer in the petition is to finalise such claim.

In the light of the short controversy raised in the petition, we deem it appropriate to dispose of the writ petition at the very threshold without even ascertaining the correctness of the averments with a direction to respondent No.2 i.e. Chairman, Improvement Trust Jalandhar to examine the claim of the petitioners in the backdrop of a representation dated 02.02.2021 (Annexure P-5), strictly in accordance with law.

A decision be taken expeditiously and in any case within a period of three months from the date of receipt of a certified copy of this order and the speaking order be passed and conveyed to the petitioners within the afore-stipulated time frame.

Disposed of.

It is clarified that we have not examined the claim of the petitioners on merits.

(TEJINDER SINGH DHINDSA)
JUDGE

(VIVEK PURI)
JUDGE

29.07.2021
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No