

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

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Civil Writ Petition No.18187 of 2021
Date of Decision: September 14th, 2021

Ram Chand and others

...Petitioners

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Yash Dev Kaushik, Advocate
for the petitioners.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court with a prayer that they were entitled to allotment of a residential plot measuring 100 square yards as per the Haryana Government Scheme floated on 01.02.2008 (Annexure P-1). Petitioners applied for the same as the last date for submission of the said application was 31.08.2008. Assertion has also been made that the claim of the petitioners has not been considered by the Committee after scrutinization and in the final list, only names of 27 persons, who belonged to the Scheduled Castes category as the petitioners, were included. Discrimination on the basis of the said action on the part of the respondents is alleged.

Counsel for the petitioners, when confronted with the fact that after the scheme having been floated in the year 2008, the petitioners for the first time had approached the respondents by way of filing a representation dated 15.09.2020 (Annexure P-3) after a delay of 12 years, he submitted that earlier also the petitioners had been approaching the respondents.

There is nothing on the record to substantiate such contention of

the counsel for the petitioners. Earlier the petitioners have also approached this Court by way of filing CWP No.13239 of 2020, which was withdrawn on 01.09.2020 with liberty to approach the authorities for the relief. Obviously nothing has been mentioned in the writ petition with regard to the factum that the petitioners have earlier either agitated this issue or pressed for their claim before the competent authority. Even the pleadings are silent to that effect.

We are of the considered view that the stale and delayed approach of the petitioners would not revive their right, which had extinguished with the passage of time. Had the petitioners been discriminated, as has been alleged, they should have at that very moment in the year 2008, approached the authorities highlighting the aspect of denial of allotment of plot to them under the scheme of Government of Haryana dated 01.02.2008 (Annexure P-1).

In the light of the above, we do not find any reason to accept the prayer made by the petitioners in the present writ petition for issuing a mandamus directing the respondents to consider the claim of the petitioners after an inordinate delay of 12 years from the date the cause of action has arisen to them.

The writ petition, therefore, stands dismissed.

(AUGUSTINE GEORGE MASIH)
JUDGE

September 14th, 2021
Puneet

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No