

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

CWP-21809-2021

Date of decision : 28.10.2021

Baldev Raj and others

... Petitioners

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present : Mr. Munish Bhardwaj, Advocate
for the petitioner.

(Through Video Conferencing)

RAJ MOHAN SINGH, J. (ORAL)

Petitioners have preferred this petition for the issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to allot 1 Kanal land to them in village Amroh, Tehsil Mukerian, District Hoshiarpur as per assurance given by the Government to the mother of the petitioners while she got an operation of Tubectomy done under National Family Planning Programme launched by the Government in the year 1976.

Learned counsel for the petitioners submits that even though the petitioners have no document of title in their favour, but they were put in possession in the year 1976, itself when mother of the petitioners got the Tubectomy done upon her.

The petitioners were put in possession on the basis of assurance given to the mother of the petitioners. They are still in actual physical possession of the land in question and can only be evicted in due course of law.

Notice of motion.

On asking of the Court, Mr. Abhay Pal Singh Gill, AAG, Punjab, accepts notice on behalf of respondent No.1.

In view of nature of order which this Court proposes to pass, there is no necessity of serving respondents No.2 to 6 or calling upon any response from the respondents as no order prejudicial to the interest of any party is being passed.

Preciously for the grievance in question, the mother during her life time, filed a representation dated 12.09.2016 (Annexure P-7), but the same has not been decided so far.

Since the representation was filed by Roshni Devi (since deceased) on 12.09.2016, therefore the petitioners, if so advised may supplement the said representation by way of new representation with additional facts within one week. If such a representation is received by respondent No.3, the same shall be decided in accordance with law, within a period of fortnight thereafter without being influenced by any statement of fact made hereinabove.

Without meaning anything on the merits of the case, this petition is disposed of.

(RAJ MOHAN SINGH)
JUDGE

28.10.2021

Dinesh

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No