

209 (2 cases)

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

CWP-22951-2016
Date of decision: 09.03.2022

Sukhpal Singh ...Petitioner
Vs.
State of Haryana and others ...Respondents

CWP-23040-2016

Amritpal Singh and another ...Petitioners
Vs.
State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Aditya Yadav, Advocate,
for the petitioner(s).

Mr. Sharan Sethi, Additional A.G., Haryana.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

Vide this common order, I intend to dispose of the
aforementioned two writ petitions, as common issues are involved
therein.

2. Petitioners herein, inter alia, seek issuance of a writ in the
nature of certiorari to quash the impugned order dated 08.07.2015
(Annexure P-3) vide which their applications for job under the
Rehabilitation and Resettlement Policy of the State of Haryana on account
of acquisition of land (Annexure P-1) have been rejected being time
barred.

3. Land of the petitioner(s) was acquired for a public purpose.

They are seeking employment in lieu thereof, in terms of the policy for
Rehabilitation and Resettlement of Land Owners (Annexure P-1).

4. Learned counsel argues that claim of the petitioners are being non suited as they could seek employment within 6 months from the pronouncement of the award by the Collector. He invokes clause 11(vi) of the policy *ibid* to argue that in certain eventualities the claim of the landowners can be considered even up to a period of 5 years from the date of the award.

5. Petitioners approached first time on 01.07.2015 i.e. within 5 years of the passing of the award by the Collector.

6. Learned counsel urges since a title dispute qua the acquired land was pending against the petitioners, which was subsequently withdrawn by the plaintiffs therein, causing delay beyond control, as aforesaid.

7. It is also argued that many other claimant/landowners, who were identically placed as the petitioner(s) have been granted the benefit of the policy, *supra*.

8. Petitioners qua their aforesaid grievance caused issuance of a legal notice dated 01.10.2016 (Annexure P-5), but to no avail. Hence, the instant petition.

9. Learned State counsel joins proceedings and submits that competent authority shall take decision either way, on the pending legal notice of the petitioners, in due course.

10. Learned counsel for the petitioners also agrees that let a final decision be taken, by the competent authority on the pending legal notice dated 01.10.2016 (Annexure P-5).

11. Without commenting on the merits of the case, the writ petitions are disposed of with a direction to the competent

authority/respondent No.1 to look into the grievance of the petitioners as per legal notice dated 01.10.2016 (Annexure P-5) and also contentions raised in the present petitions by treating the same as supplementary representations and take a decision, in accordance with law, as expeditiously as possible. Arguments, as noted above, be also dealt with specifically.

12. Disposed of accordingly.

13. A photocopy of this order be placed on the connected case file.

09.03.2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No