

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

128

**CWP-21224-2022 (O&M).  
Date of Decision: 16.09.2022.**

**Jang Bahadur Gupta**

**...Petitioner**

**Versus**

**State of Punjab and another**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

\*\*\*\*\*

Present: Mr. Mayur Kanwar, Advocate for the petitioner.

\*\*\*\*\*

**VINOD S. BHARDWAJ. J.**

The present writ petition has been filed under Articles 226/227 of the Constitution of India, seeking issuance of a writ in the nature of mandamus directing the respondents to decide the pending application of the petitioner for issuance of “terrorist affected/displaced family certificate,” in a time bound manner.

Learned counsel appearing on behalf of the petitioner contends that the petitioner had settled in Jalandhar after opening a petrol pump in the year 1975. At the time when the State of Punjab was under the grip of terrorism, an attempt was made on 17.04.1986 to carry out an armed robbery at the petrol pump of the petitioner. Thereafter, the petitioner started getting threats from terrorist groups and his name was

reflected in the hit list since in the counter firing, one terrorist was injured and had to flee from the scene. The establishment of the petitioner was again attacked on 14.01.1987 and the petitioner managed to kill another terrorist and injured two more whereupon he had been receiving threats from the terrorist outfits. Resultantly, the petitioner sold the petrol pump at Jalandhar and shifted from Punjab to Tehsil Amb, District Una, Himachal Pradesh and remained there till the year 2000.

He contends that the petitioner returned along with his family in the year 2000 and settled back in Jalandhar. He contends that he has two sons namely Deepak Gupta and Aman Jyoti. There is also one daughter named Rishu Gupta. Pragaya Gupta, grand-daughter of the petitioner had cleared her NEET exam and is to apply in medical colleges for MBBS Course. A notification dated 22.08.2022 has been issued by the State of Punjab as per which there is 1% reservation for the students whose parents/grand-parents are terrorist affected/displaced persons under Clause 15 (vi). It is submitted that for the said purpose the petitioner approached the Deputy Director, Sainik Welfare Board, for issuance of such certificate and an application in this regard has been forwarded by the Board to the Deputy Commissioner on 27.07.2022. The said letter has been forwarded by the Deputy Commissioner to the Sub Divisional Magistrate – II, Jalandhar and the same was returned by SDM-II Jalandhar, on 08.08.2022 on the premise that the case of the petitioner falls in the jurisdiction of Sub Division Adampur. On 16.08.2022, the Sub Divisional Magistrate, Adampur asked the concerned Tehsildar to prepare a report and in the said report, it was confirmed by the Tehsildar, Adampur that the petitioner was attacked by

the terrorists. The said report was furnished on 22.08.2022 and since then, there has been no update regarding the issuance of certificate in favour of the petitioner

It is further submitted that considering that admission process is likely to be initiated in the near future, the petitioner is constrained to approach this Court. He contends that since the application is already pending before the concerned authorities, he would be satisfied in case the respondents are directed to take an expeditious decision on the issuance of a 'terrorist affected/displaced family certificate,' in a time bound manner.

Notice of motion.

Mr. Saurav Verma, Addl. A.G. Punjab, accepts notice and he has no objection to the prayer of the petitioner being accepted.

Accordingly, with the consent of the parties and without commenting on the merits of the case, it is directed that respondent No.2 i.e. the Deputy Commissioner, Jalandhar, shall take a final decision on the pending request of the petitioner for issuance of terrorist affected/displaced family certificate in a time bound manner and preferably within a period of 10 days of the receipt of the certified copy of this order.

Petition is disposed off accordingly.

**September 16, 2022**  
***raj arora***

**(VINOD S. BHARDWAJ)**  
**JUDGE**

**Whether speaking/reasoned : Yes/No**  
**Whether reportable : Yes/No**