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2023:PHHC:061296

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCp-709-2012 (O&M)
Date of decision: 29.04.2023

Devender Singh

... Petitioner

Vs.

Vikas Garg

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sherry K. Singla, Advocate
for the petitioner.

Mr. Teevar Sharma, AAG, Punjab.

Mr. Sanjiv Gupta, Advocate
for Gram Panchayat, Mandaur, District Patiala.

ARVIND SINGH SANGWAN, J. (ORAL)

This petition is pending since 2012.

The petitioner alleges violation of the order dated 09.03.2011
passed in CWP-15847-2009, operative part of which reads as under: -

*“We, therefore, direct the Deputy Commissioner, Patiala to extent
the scope of the inquiry undertaken by him to all the 213 persons
mentioned in the said list (Annexure P-5) and thereafter the
appropriate authority will take necessary consequential action in*

the light of the said report of the Deputy Commissioner.”

A perusal of the last few orders reveals that compliance affidavit was sought from time to time. On 18.05.2015, it was noticed that an inquiry was conducted by the respondent and only 72 beneficiaries of the scheme of allotment of 05 marla plots were found eligible and 89 persons were found ineligible. 52 beneficiaries, who could not construct the house on vacant plot, were found ineligible. It is also observed that out of 213 plots, which were allotted as per the scheme, plots allotted to 72 eligible beneficiaries have been cancelled, as they did not fulfill the requirement of the policy and mandate thereof.

Again on 15.09.2016, it was noticed that some more persons were not found eligible and further direction was issued to the Deputy Commissioner, Patiala to do the needful. On 24.01.2017, it was noticed that only 25 beneficiaries belonging to SC category were found eligible at the time of allotment of 05 marla plots, out of the panchayat land in the year 2009 and the case was further adjourned.

On 17.01.2018, it was noticed that in the subsequent writ petition, some more directions were issued by the Division Bench for conducting a fresh survey to identify the ineligible allottees.

Learned State counsel, assisted by learned counsel for the Gram Panchayat, has submitted that entire exercise has already been concluded and the eligible beneficiaries have been given the plots, whereas the allotment

made to ineligible beneficiaries has been cancelled.

In view of the above, no further action is called for in the present petition and the same is disposed of having been rendered as infructuous.

Liberty is granted to the petitioner to avail the alternative remedy, in accordance with law.

[ARVIND SINGH SANGWAN]
JUDGE

29.04.2023
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No