

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

(124)

CWP-15662-2023

Decided on : 24.07.2023

Gurinder Singh

.....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MS.JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Mohit Jaggi, Advocate for the petitioner (s).

G.S. Sandhawal, J. (Oral)

In the present writ petition filed under Article 226/227 of the Constitution of India the petitioner seeks the benefit of allotment of plot being an oustee as per the Policy dated 25.05.2011 (Annexure P-8) regarding the request which was filed for entitlement in Urban Estate, SAS Nagar, Mohali.

2. It is the case of the petitioner that his uncle namely Lakhmir Singh was unmarried and issueless and had share in the land in village Mullanpur, SAS Nagar, Mohali. The petitioner and his cousin brother namely Satvir Singh are the legal heirs of the said uncle who had passed away on 20.05.2022. The claim is based on the Registered Will executed by paternal uncle dated 18.05.2015 (Annexure P-2). It is further the case of the petitioner that there was a civil litigation also regarding the property which was eventually decided in favour of his uncle and the appeal filed by plaintiff Karamjit Singh was also dismissed on 19.12.2019 (Annexure P-5), wherein a finding was recorded that agreement to sell dated 29.06.2007 was found to be a forged document.

3. Resultantly, the representation dated 12.02.2022 (Annexure P-6) was filed seeking the amount of compensation paid to the deceased regarding Award No.518 qua Ecocity-1 and 547 qua Medicity. The details having supplied on 05.04.2023 (Annexure P-7) regarding the amount which was paid to the deceased, the application for allotment under Oustee Policy has been filed on 09.12.2022 (Annexure P-9), which is sought to be enforced.

3. Notice of motion.

4. On the asking of the Court, Mr. V.G. Jauhar, Addl. AG, Punjab accepts notice on behalf of the respondents.

5. Keeping in view the fact the decision making is still pending, we do not fit it deem to call the respondents for filing reply. Let, the competent authority take a decision on the said representation as to entitlement of the petitioner and pass a speaking order. Needless to say that we are neither commenting upon the veracity of the Will dated 18.05.2015 (Annexure P-2) or the fact that the petitioner's entitlement would flow from it. It is for the competent authority to take a call.

6. Disposed of.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

24.07.2023
Naveen

Whether speaking/reasoned :	✓Yes	No
Whether Reportable :	Yes	✓No