

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

CWP-2023-2018(O&M)
Date of decision: 08.11.2023

Rani

... Petitioner

Versus

State of Punjab and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Jaideep Verma, Advocate, for the petitioner.
Mr. V.G. Jauhar, Addl. AG, Punjab.
Mr. Tarun Vir Singh Lehl, Advocate, for respondent No.2.

ARUN PALLI, J. (Oral)

The petitioner herein has prayed for the following substantive relief:

“Issuance of writ in the nature of mandamus for the issuance of directions to the respondent No.1 & 2 to allot a plot under “Local Displaced Persons Scheme” as per Ludhiana Improvement Trust Land Disposal Rules, 1964 in the light of the claims of similar situated persons (Annexure P-13 to 16) accepted by the respondent No.1 & 2. Whereas, the claim of petitioner is pending before the respondent Trust since 12.05.1975 (Annexure P-2 & 3).

AND/OR

Issue any order, writ or directions which this Hon'ble Court deems fit and proper as per the peculiar facts and circumstances of instant writ petition.”

At the outset, learned State counsel has drawn attention of the Court to the averments set out in paras 3 and 4 of the response submitted on behalf of respondent No.1-State, which read as under:

“3. That in this regard it is submitted that the claim of the petitioner has to be addressed by the Respondent No.2. The answering respondent has issued an office order bearing No.L1-TSC-DLG-2023/04 dated 06.01.2023, constituting a Committee at the District Level comprising of five members under the Chairmanship of the concerned Deputy Commissioner/District Collector for disposal of pending cases pertaining to the Local Displaced Persons (LDP)/allotment of alternative plots in the Improvement Trusts in the State of Punjab. The Executive Officer of the concerned Trust will be the Convener-cum-Member Secretary of the said Committee. The Committee will consider the resolutions passed by the Improvement Trusts for allotment of LDP/Alternative Plots. The Executive Officer is to put up the matters concerning pending resolutions of Trusts and complete record of the case alongwith LDP performa. The Committee will approve or reject the cases after consideration as per law, rules and directions issued by the State Government from time to time in this regard. Thereafter, the Executive Officer is to take further action as per recommendations of the Committee. A copy of the said order dated 06.01.2023 is annexed herewith as Annexure R-1/1 for kind perusal of this Hon’ble Court.

4. That in view of the afore mentioned office order the case of the petitioner will now be considered by the Committee as per law, rules, and directions issued from time to time by the State Government. Apart from it is respectfully submitted that the Improvement Trust is having the power for the allotment of plot in the LDP category considering the facts and circumstances of the case. Thus, in view of the submissions herein above no relief lies against the answering respondent.”

Accordingly, learned counsel for the parties are *ad idem* that let this petition be disposed of in terms of the stand set out by the State in paras 3 and 4, as extracted above.

Learned counsel for the petitioner submits that as the matter is pending since 29.01.2018, the respondents be directed to consider and decide the claim of the petitioner at the earliest.

To which, learned Additional Advocate General, Punjab as also learned counsel for respondent No.2 submit that the authorities shall make every possible endeavour to decide the matter as expeditiously as possible.

The petition is, accordingly, disposed of in terms of the statements made by learned counsel for the parties.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the claim/grievance of the petitioner, strictly in accordance with law.

(Arun Palli)
Judge

(Vikram Aggarwal)
Judge

08.11.2023
Rajan

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO