

216 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

CWP-22928-2017 (O & M)
Date of Decision : 29.08.2023

PALE RAM

.....Petitioner

Versus

STATE OF HARYANA AND ORS.

....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. Vishwajeet, Advocate
for the petitioner.

Mr. Ankur Mittal, Addl. A.G., Haryana.
Mr. Saurabh Mago, DAG, Haryana.

SURESHWAR THAKUR, J. (Oral)

1. Through the instant petition, a challenge is made to the order drawn on 20.03.2017 (Annexure P-5), whereby the allotment(s) of plots, as made to the present petitioner became rescinded. The reason upon which the impugned order (Annexure P-5), is founded, is revealed by a compliance report filed by Deputy Commissioner, Panipat, thus in pursuance to the requisite directions becoming made upon him.

2. The relevant paragraph No. 3 of the compliance report, does on its reading, para whereof is extracted hereinafter, reveal that, not only the present petitioner was owning more than one acre cultivable land, besides he also was an employee in an industry i.e. Atlas Cycles (Haryana) Limited, Sonipat.

“ 3. That the deponent submits that as per the report of the Block Development & Panchayat Officer, Samalkha the petitioner is having more than one acre cultivable land and was employee in the industry i.e. Atlas Cycles (Haryana)

Limited, Sonipat. The true translated copy of the report of the Block Development & Panchayat Officer, Samalkha is attached herewith as Annexure R-1. It is also pertinent to submit here that the petitioner has admitted the above, as well as, has got recorded in his statement that he was allotted plot in the year 1976. The true translated copy of the statement of the petitioner dated 06.04.2023 is attached herewith as Annexure R-2. It has also been confirmed by the Tehsildar, Samalkha in its report submitted vide letter No. 978 dated 19.04.2023 that the petitioner is owner of the cultivable land measuring 8 Kanal 7 Marla in Khewat No.1125. The true translated copy of the report of the Tehsildar, Samalkha is attached herewith as Annexure R-3.”

3. Since in view of the above cultivable land holding of the present petitioner besides when he also was an employee in the above industry, thereupon, when in respect of the above, thus there is a complete bar against allotment(s) being made to the present petitioner.
4. In consequence, the rescinding of the allotment of the plot, as become made to the petitioner, thus through the making of the impugned order (Annexure P-5), is but completely valid.
5. In aftermath, this Court finds no merit in the writ petition, and, with the above observations, the same is dismissed. The impugned order (Annexure P-5) is maintained and affirmed.
6. No order as to costs.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

29.08.2023
kavneet singh