

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

CWP-27168-2018

Date of decision: 09.08.2023

Madan Gopal and others

..... Petitioners

versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present:- Mr. S.K. Kaushik, Advocate
for the petitioners.

Mr. Rajneesh Chadwal, AAG, Haryana.

RAJESH BHARDWAJ J. (ORAL)

Prayer in the present petition is for issuance of direction to the official respondent for handing over possession and entering/recording the mutation of land which was allotted to Diwan Singh (i.e. father of petitioners No.1 to 3 and husband of petitioner No.4) vide Allotment Letter dated 15.06.1984 in view of the fact that entire amount along with interest with regard to the land allotted has already been deposited by the petitioners.

It has been contended by counsel for the petitioners that for the redressal of grievance of the petitioners, they already filed a application dated 14.08.2015, however, the same is pending consideration before the respondent-authorities. He has submitted that the matter is squarely covered by the decision of CWP-4418 of 2021 titled as Parmeshwari @ Panmeshwari Vs. State of Haryana and others decided on 19.04.2022 wherein it was held that delay in deposit of installments would not deprive the allottee of his right to allotment as a landless person. The only remedy available to the State is to recover the

installments as arrears of land revenue. He submits that the case of the petitioners is also at par with the petitioners in CWP-4418-2021. Learned counsel for the petitioners further submits that the representations were filed time and again however, no decision on the same has been taken so far. He has drawn the attention of this Court to Annexure P-9 copy of the zimni orders whereby the matter was adjourned many times w.e.f. 21.08.2015 to 07.05.2018.

After hearing counsel for the parties, the present petition is disposed of with direction to respondent No.2 that in case the application dated 14.08.2015 (Annexure P-7) is not decided till date, the same be decided keeping in view the contentions raised by counsel for the petitioners.

The respondent would be at liberty to hear the petitioners and appreciate the submissions made by them including the applicability of the judgment to his case and decide the same (if not already decided) with an independent mind within a period of 04 weeks from today.

(RAJESH BHARDWAJ)
JUDGE

09.08.2023
m. sharma

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