

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.20105 of 2023
Date of Decision : 12.09.2023

Balbir Dass Chela

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Krishan Singh Dadwal, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for directing the respondents to take remedial action on the representations dated 28.11.1990 (Annexure P-11) and 14.12.2007 (Annexure P-12) as well as legal notice dated 11.08.2020 (Annexure P-13) and representation dated 29.07.2023 (Annexure P-15) which have not been adhered to despite the claim of the petitioner is covered under the policy decision dated 13.11.1990 (Annexure P-10) as well as Press Note (A and B) (Annexure P-9), which makes the petitioner eligible and entitled for allotment.

Learned counsel for the petitioner submits that for the redressal of his grievance, the petitioner has already filed representation dated 11.08.2020 (Annexure P-13) before the respondents but no action has been taken in the same till date.

Notice of motion.

On asking of the Court, Ms. Akshita Chauhan, DAG, Punjab

appears and accepts notice on behalf of the respondents. She has submitted

that legal notice earlier served by the petitioner has been decided by the Tehsildar vide order dated 01.12.2020.

However, learned counsel for the petitioner has submitted that the Tehsildar is not the competent authority and the legal notice was issued to respondent No.1. He submits that the petitioner be allowed to file a representation before respondent No.3, who would decide the same in a time bound manner.

Learned State counsel fairly submits that if any representation is filed by the petitioner, the same would be decided keeping in view the overall facts and circumstances of the case and in accordance with law within a period of four weeks.

In view of the same, the present petition is disposed of with liberty to the petitioner to file appropriate representation before respondent No.3 within ten days from today. In case any such representation is filed by the petitioner within ten days from today, then respondent No.3-Deputy Commissioner, Hoshiarpur is directed to decide the same in accordance with law within a period of four weeks from the date of receipt of the same.

(RAJESH BHARDWAJ)
JUDGE

12.09.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No