

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

(126)

CWP-5085-2024

Date of decision: - 04.03.2024

Rachna Rani

....Petitioner

Versus**State of Punjab and others**

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Rahul Dev Singh, Advocate, for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside the speaking order dated 21.11.2014 (Annexure P-11) whereby respondents rejected the claim of the petitioner for want of the necessary documents.

2. Learned counsel for the petitioner has submitted that a perusal of the order dated 21.11.2014 (Annexure P-11) would show that as per Clause 8 of the Rehabilitation and Resettlement Policy dated 18.11.1993, a person could be provided a job in three different situations. It is further submitted that the case of the petitioner is covered under Clause (1) and (3) of the Clause 8, which has been reproduced in the order dated 21.11.2014 (Annexure P-11). It is stated that the claim of the petitioner was not considered primarily on the ground that the necessary documents were not supplied by the petitioner. It is further stated that the petitioner has now been able to lay hands on the documents and has

forwarded a letter dated 01.12.2023 (Annexure P-12) and has submitted that the petitioner would be satisfied, in case, his claim is reconsidered on the basis of letter dated 01.12.2023 (Annexure P-12) and the documents annexed along with the said application.

3. Learned State counsel has submitted that it was only the petitioner who did not supply the documents, on account of which, his claim could not be accepted in the year 2014. It is further submitted that the competent authority of respondent No.1-State would consider the application/letter dated 01.12.2023 (Annexure P-12) only on the basis of averments made in the said application/letter and the documents annexed along with the same, in accordance with law and in accordance with the policy dated 18.11.1993 (Annexure P-1).

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of, with a direction to competent authority of respondent No.1-State to consider the application/letter dated 01.12.2023 (Annexure P-12), as expeditiously as possible, in accordance with law.

5. It is made clear that this Court has not opined on the merits of the case and competent authority of respondent No.1-State would consider and decide the matter independently, in accordance with law.

March 04, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No