

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.11982 of 2021 (O&M)
Date of Decision :01.05.2024

Kuldip Singh and others

Versus

.....Petitioners

The State of Punjab and others

..... Respondents

CWP No.434 of 2021 (O&M)

Jagtar Singh and another

Versus

.....Petitioners

The State of Punjab and others

..... Respondents

CWP No.7525 of 2021 (O&M)

Ajmer Singh (since deceased) through his LRs

Versus

.....Petitioner(s)

The State of Punjab and others

..... Respondents

CWP No.3303 of 2022 (O&M)

Swaran Singh and others

Versus

.....Petitioners

The State of Punjab and others

..... Respondents

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

Present : Mr. Naresh Kaushal, Advocate for the petitioners.

Mr. Jastej Singh, DAG, Punjab.

Mr. Rishabh Gupta, Advocate for GMADA.

ARUN PALLI, J. (Oral):

For, we are informed that the matter in issue in this bunch of 4 petitions is identical, these are being disposed of by a common order and judgment. However, the facts are being derived from CWP-11982-2021.

The land holding of the petitioners, situated in the revenue estate of village Chachu Majra, Teshil and District Mohali, was acquired by the Government of Punjab for a public purpose, namely construction of 200 feet wide road running from Sectors 66 to 66A, junction to NH 64 (Zirakpur to Patiala), vide award No.499 dated 25.05.2009.

In essence, the grievance of the petitioners is: even though in terms of the policy in vogue dated 08.05.2013 (P6), the petitioners are entitled to allotment of a suitable site/plot measuring 100 Sq. Yds. each under the oustees category, but their claim has not been addressed to date. And their applications continue to be pending before respondent No.3.

On the asking of the Court, Mr. Rishabh Gupta, Advocate, who is already appearing for GMADA (in CWP-11982-2021), has also caused appearance (in CWPs-434, 7525-2021 and 3303-2022). He submits that although a short affidavit has been filed by the Estate Officer, GMADA, but as the competent authority is still in seizin of the applications submitted by the petitioners, it would be expedient, if the petitions are disposed of to enable the respondents-authority to deal with their concerns/grievances and pass appropriate orders thereon, in accordance with law. Further, he submits that before any such orders are passed, the petitioners shall also be heard and a formal communication in this regard shall be issued to them, well in advance.

That being so, learned counsel for the petitioners submits that let these petitions be disposed of in terms of the statement made by learned counsel for GMADA. However, he submits, as the claim of the petitioners has not been addressed for abnormally long period of time, the respondents-authority be directed to pass necessary orders within a specified time.

To this, learned counsel for GMADA submits that the authority,

after hearing the petitioners, as indicated above, would pass the necessary orders within a period of 3 months from today. Further, he submits that the petitioners would also be at liberty to submit fresh representations to supplement/support their claim along with necessary documents within a period of two weeks from today which shall be taken into consideration while passing the final order.

In the wake of the position sketched out above and in terms of the statements made by learned counsel for the parties, petitions are accordingly disposed of.

This Court is sanguine that the competent authority shall examine the matter in the right earnest and pass a comprehensive order, assigning reasons in support thereof, within the time indicated by the learned counsel for GMADA.

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

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

01.05.2024
Manoj Bhutani

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