



CWP-14337-2021(O&M)

-1-

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

220

CWP-14337-2021(O&M)

Date of Decision: 18.11.2024.

Akash

.. Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Brijender Kaushik, Advocate, for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana
for respondents No.1 to 3.

None for respondent No.4.

VINOD S. BHARDWAJ, J. (ORAL)

The petitioner has approached this Court for seeking directions to respondents No.2 and 3 or to any other competent authority to inquire into the complaints dated 06.03.2020 (Annexure P-3) and 17.02.2021 (Annexure P-5) and thereafter, to cancel the resident certificate dated 29.06.2015 (Annexure P-2) issued in favour of respondent No.4-Rishipal.

Learned counsel for the petitioner has argued that respondent No.4 is resident of Village Hathin, Tehsil Chhatta, District Mathura (U.P.) and is son of Veerpal and Sunita, as the same is substantiated from the matriculation certificate issued. It is averred that respondent No.4, however, obtained a resident certificate by concealing the essential facts and despite not being entitled to issuance of such resident certificate of Haryana since he was not a resident of the village as well as the State of Haryana.

Accordingly, a complaint was filed by the petitioner with respondent No.3,



CWP-14337-2021(O&M)

-2-

Tehsildar Hathin for cancellation of the said resident certificate along with the necessary documents. However, no action was taken thereupon. Consequently, the petitioner approached the Deputy Commissioner, Palwal, but neither any inquiry was conducted nor any effective steps were taken for cancellation of resident certificate, thus compelling the petitioner to approach this Court.

Pursuant to the notice issued by this Court, reply on behalf of respondents No.2 and 3 had been filed through Naib Tehsildar Hathin, District Palwal. As per the averments contained in the written statement, respondent No.4 was found eligible as per the law for issuance of Haryana resident certificate. It is also averred that consequent to the receipt of the complaint submitted by the petitioner, an inquiry was conducted into the same. It has also been disclosed that the petitioner had filed two complaints dated 06.03.2020 and 17.02.2021 for cancellation of resident certificate of respondent No.4 which are subject matter of reference in the present writ petition. The Sub Divisional Magistrate, Hathin was appointed as Inquiry Officer vide letter No.3238/Complaint dated 27.11.2020 and letter No.5491/SK dated 19.02.2021. The inquiry officer after hearing the parties and examining the record found that the resident certificate issued in favour of respondent No.4 has been issued by the office of Tehsildar Hathin on the basis of documents submitted, which were found to be correct. A separate written statement has also been filed by respondent No.4.



CWP-14337-2021(O&M)

-3-

Notwithstanding that the reply had been filed by the respondents in July 2023, no replication/rejoinder disputing the factual assertion made therein was filed. Hence the reply remains undisputed.

In view of the aforesaid uncontroverted position, the grievance of the petitioner with respect to inquiring into the said complaints stands redressed. Since the issuance of the resident certificate was found to be correct in accordance with documents, which were valid, hence there is no occasion for directing cancellation of the resident certificate dated 29.06.2015 issued in favour of respondent No.4.

For the reasons noted above, the present petition is disposed of as having been rendered infructuous.

18.11.2024.
monika

(VINOD S. BHARDWAJ)
JUDGE

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