



CWP-24754-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-24754-2024Date of decision: 01.10.2024

Rakesh Kumar

....Petitioner

Versus

State of Punjab and others

....Respondents

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

Present: Ms. Sunita Nambiar, Advocate,
for the petitioner.

Mr. Brijesh, Assistant Advocate General, Punjab.

Mr. Ashish Verma, Advocate,
for the respondent-Trust.

ARUN PALLI, J. (Oral)

The petitioner has prayed for the following substantive
relief:-

***“Civil Writ Petition under Articles 226/227 of
the Constitution of India seeking issuance of a writ in the
nature of certiorari quashing Order dated 17.07.2023
(Annexure P16), whereby restoration of plot no.54-D
measuring 100 sq yards allotted under employees quota in
475 acres scheme has been rejected despite the fact that
petitioner was appointed through regular appointment and
was not appointed on compassionate basis, hence the same
being illegal, arbitrary and discriminatory in nature.***

AND/OR

***To issue a writ of in the nature of Mandamus
directing the Respondents No.2 to restore plot No.54D
measuring 100 sq. yards in the name of the petition***



because similar allotments were made to other similarly situated employees of respondents.”

On September 27, 2024, Mr. Aashish Verma, Advocate, had caused appearance on behalf of the respondent-Trust and sought time to seek instructions and/or submit response to the concerns/grievances set out in the petition. Accordingly, he, on instructions, submits, for the impugned order dated 17.07.2023 (P-16), vide which, claim of the petitioner for allotment of a suitable site/plot under the employees' quota was rejected proceeds on a misconceived premise, the same be deemed to have been withdrawn/recalled. He, as always, fairly submits that the respondent-Trust shall pass a fresh order, in accordance with law, after taking into account all the relevant factors, as also the statutory rules governing any such allotment. Further, before any such orders are passed, the petitioner shall be heard, for which a formal communication shall also be issued to him, well in advance.

Learned counsel for the petitioner is in agreement with the course suggested by learned counsel for the respondent-Trust and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that as a considerable time has already elapsed, the authorities be directed to do the needful, within a specified time.

In response, learned counsel for the respondent-Trust submits that appropriate orders, as indicated above, shall be passed within a period of four weeks from today.



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

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by learned counsel for the respondent-Trust.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated earlier, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

01.10.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No