

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CWP-5250-2025 (O&M)****Date of Decision : 08.04.2026**

Jagmal Singh and Others

... Petitioners

Versus

State of Haryana and Others

... Respondents

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN
HON'BLE MR. JUSTICE RAMESH CHANDER DIMRI**

Present : Mr. Krishan Singh, Advocate for the petitioners.

Mr. Pradeep Prakash Chahar, Sr. DAG Haryana
for respondent Nos.1 to 5.Mr. Ankur Mittal, Senior Advocate with
Mr. Kushaldeep K. Manchanda, Advocate for respondent No.6.

Mr. Shyam Singh Chhokar, Advocate for respondent No.7.

ALKA SARIN, J. (Oral)

1. Present writ petition has been filed under Articles 226 and 227 of the Constitution of India for issuance of a direction quashing the order dated 23.12.2024 (Annexure P-7).

2. Briefly the facts relevant to the present *lis* are that the Government of Haryana launched a Scheme on 01.02.2008 (Annexure P-1) for allotment of 100 sq. yards residential plots to the Scheduled Castes Families and other castes living below the poverty line under the Mahatma Gandhi Gramin Basti Yojna. As per the Scheme issued by the Government of Haryana, Gram Panchayat Kathwala passed a resolution dated 04.03.2008

(Annexure P-2) whereby it was decided to allot 100 sq. yards plots to the Scheduled Castes Families and other castes living below the poverty line under the Mahatma Gandhi Gramin Basti Yojna. The Deputy Commissioner, Yamuna Nagar issued a letter dated 07.03.2008 (Annexure P-3) to all the Block Development and Panchayat Officers, Yamuna Nagar for implementing the Scheme of allotting the plots of 100 sq. yards to the eligible people living below the poverty line. A Committee was also constituted for receiving the applications from the eligible candidates which Committee was headed by the Sarpanch of the village, Patwari, Gram Sachiv, Principal of the School and Nambardar of the village. Gram Panchayat received applications for allotment of 100 sq. yards plots from the eligible candidates. The Gram Panchayat found 58 persons eligible for allotment of 100 sq. yards plots. Thereafter, a layout plan was prepared alongwith a list of eligible candidates by the Committee headed by the Sarpanch of the village. A writ petition came to be filed being CWP-20703-2008 titled 'Jagir Singh & Ors. vs. State of Haryana & Ors.' wherein the prayer was that the Sarpanch of the Gram Panchayat and other respondent authority therein be directed not to carve out 100 sq. yards residential plots as per the Policy of the Government dated 01.02.2008 as the land in question was reserved during the consolidation for the purpose of income of the Gram Panchayat by the Consolidation Authority. The said writ petition came to be disposed off vide order dated 16.12.2023 (Annexure P-5) and the petitioners therein were relegated to their alternate remedy of either filing a statutory appeal or approaching the civil court by filing a declaratory suit. Admittedly, till date the petitioners therein have not filed a declaratory suit or a statutory appeal. After disposal of the petition being CWP-20703-2008, the petitioners herein sent an application/legal

notice dated 29.05.2024 (Annexure P-6) that 100 sq. yards plots be allotted to them as they had been found eligible under the Scheme issued by the Government of Haryana on 01.02.2008. The said application/legal notice has been dismissed by respondent No.2-Deputy Commissioner, Yamuna Nagar vide order dated 23.12.2024 (Annexure P-7) holding that the allotment of 100 sq. yards plots had been cancelled by this Court vide order dated 16.12.2023 passed in CWP-20703-2008 titled 'Jagir Singh & Ors. vs. State of Haryana & Ors.'. Hence, the present writ petition.

3. Learned counsel for the petitioners has contended that respondent No.2-Deputy Commissioner has totally misread the order dated 16.12.2023 passed by this Court in CWP-20703-2008 whereby this Court while disposing off the said writ petition had relegated the petitioners therein to file the statutory appeal or to approach the civil court. It has further been pointed out that vide order dated 16.12.2023 the eligibility of the petitioners therein was not set aside. It is further the contention that infact the petitioners had only been found eligible vide resolution dated 09.11.2008 (Annexure P-4), however, it has been held by respondent No.2-Deputy Commissioner that the allotment of 100 sq. yards itself stood cancelled vide order dated 16.12.2023 passed in CWP-20703-2008.

4. Learned State counsel is not in a position to deny that vide order dated 16.12.2023 there was neither any finding qua the eligibility of the petitioners herein regarding the allotment of 100 sq. yards plots nor was any allotment cancelled. It has further not been denied that infact the allotment had not even been made at that point of time.

5. In view of the above, the order dated 23.12.2024 passed by respondent No.2-Deputy Commissioner, Yamuna Nagar cannot be sustained

and the same is accordingly set aside. Respondent No.2-Deputy Commissioner, Yamuna Nagar is directed to reconsider the application filed by the petitioners herein in accordance with law expeditiously, preferably within a period of four weeks from today.

6. Disposed off in the above terms. Pending applications, if any, also stand disposed off.

**(ALKA SARIN)
JUDGE**

08.04.2026
jk

**(RAMESH CHANDER DIMRI)
JUDGE**

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO