

(2011) 12 P&H CK 0067

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 2472 of 1987 (O and M)

Himat Singh (deceased) through his L.Rs.

APPELLANT

Vs

The Financial Commissioner Revenue, Punjab at Chandigarh,
exercising the powers of the Central Government under Act
44 of 1954 and others

RESPONDENT

Date of Decision : 06-12-2011

Acts Referred:

Citation : (2011) 12 P&H CK 0067

Hon'ble Judges : K. Kannan, J

Bench : Single Bench

Judgement

K. Kannan, J.—This is a writ petition, pleading for allotment of an extent of property that was permissible under the Displaced Persons (Rehabilitation and Compensation) Act of 1954 (for short, "the 1954 Act"). More than five decades have passed and the grievance is now being prosecuted by the legal heirs of the displaced person. The petitioner at the previous hearing had given the details of property which was still available that could be allotted to the petitioner in compensation for the property lost at the time of partition. The State has given an affidavit to say that only properties in Khasra Nos.34//4/1-16 marlas and 40//16/2-8 marlas are available vacant lands. The Government shall allot the same in partial satisfaction of the petitioners' entitlement under the 1954 Act. Out of the total extent of 78 kanals 11 marlas that were pointed out by the petitioner as still available, the State is contending that several of the items of properties are in the hands of unauthorized occupants and that actions are being taken for securing back the property from their possession. The respondents shall, on taking back the possession of the property, allot the same to the extent of the petitioners' entitlement. This exercise could be an ongoing process and shall be concluded within a period of at least 2 years.

2. The respondents 1, 7 to 9 have their own grievance that any allotment made to the petitioner shall not jeopardize their interest. The State has contended that

the process of allotment to them is underway. The State shall expedite the process and make appropriate allocations in accordance with law as expeditiously as possible.

3. Subject to these observations, the writ petition is disposed of.