

(2012) 12 P&H CK 0191
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 25855 of 2012

Tara Singh and Others

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 21-12-2012

Acts Referred:

Citation : (2012) 12 P&H CK 0191

Hon'ble Judges : Rajiv Narain Raina, J; Hemant Gupta, J

Bench : Division Bench

Advocate : Kunal Mulwani, for the Appellant;

Judgement

Hemant Gupta, J.—The grievance of the petitioners in the present petition is that the land of the petitioners was acquired for a public purpose i.e. for the Budhlada Co-operative Sugar Mills Ltd, Budhlada. The said mill is non functional and consequently, the land has been transferred to Punjab Urban Development Authority. It is the said transfer of the land which is challenged by the petitioners in the present petition. Similar issue came for adjudication before the Division Bench of this Court on 9.2.2012, in Civil Writ Petition No. 17979 of 2011 Jagtar Singh etc. Vs. State of Punjab etc., wherein, it has been held that once the land vests with the State Government, it can utilize the same for another public purpose. It was also held that the land given to the Punjab Urban Development Authority for development of a residential colony is a public purpose.

2. In view of the said fact, we do not find any merit in the present petition. Consequently, the same is dismissed in the same terms as in Jagtar Singh's case (supra). At this stage, learned counsel for the petitioners state that the petitioners have a right to seek allotment of plot as an oustee. A perusal of the writ petition does not show that a demand was raised by the petitioners for allotment of plot as an oustee. However, it shall be open to the petitioners to submit a representation for allotment of plot as an oustee. As and when, any such representation is filed, the same shall be considered accordingly to law.