

**Ram Avtar Dutta (deceased) through LRs vs.
Union of India & Ors.**

Execution Petition No.1349 of 2024

25.08.2025

Present: Ms. Sangeeta Vasudeva, Advocate, for the petitioners.

Mr. Rajinder Thakur, Central Government Counsel, for respondents No.1 & 2.

Mr. R.K. Gautam, Senior Advocate with Mr. Jai Ram Sharma, Advocate, for respondents No.3 & 5.

Mr. Raj Negi, Deputy Advocate General, for respondents No.4 & 6.

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Mr. R.K. Gautam, learned Senior Advocate, under instructions of Mr. Jai Ram Sharma, Advocate, has submitted that procedure of allotment has been provided in Rule-5 of ***The Rajasthan Colonisation (Allotment and Sale of Government Land to Pong Dam Oustees and Their Transferees in the Indira Gandhi Canal Colony) Rules, 1972***, wherein, allotting authority has been empowered to scrutinize the application and to further refer the matter to the Government of Himachal Pradesh for clarification in case of any doubt and after receiving the response/clarification required, the allotting authority shall decide the eligibility of oustee/applicant.

Referring the aforesaid rules, learned counsel for the petitioner has submitted that vide communication dated

22.05.2024(Annexure E-13), certain information/clarifications asked by the allotting authority from the Deputy Commissioner, Relief & Rehabilitation, Raja Ka Talab, District Kangra (H.P.), but despite sending reminder dated 17.03.2025 to Deputy Commissioner, Relief & Rehabilitation, Raja Ka Talab, District Kangra (H.P.), the State of H.P. has not responded to the clarifications sought by the allotting authority.

Learned counsel for the petitioner has placed on record response of the State Government vide communication dated 11.03.2025 to the clarifications sought vide letter dated 22.05.2024, whereas, there is no reference of aforesaid communication dated 11.03.2025, in the reminder dated 17.03.2025.

Faced with aforesaid situation, learned counsel for allotting authority/State of Rajasthan, seeks two weeks' time to have complete instructions in this regard.

List for consideration on 25..09.2025.

(Vivek Singh Thakur)
Judge

(Sushil Kukreja)
Judge

25th August, 2025
(reena)