

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 11295 of 2015

Date of Decision: 28.5.2015

Samsad

....Petitioner.

Versus

Chandigarh Administration, Estate Office, UT, Chandigarh and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE REKHA MITTAL.**

PRESENT: Ms. Anupam, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. By way of instant petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of mandamus directing respondent No.1 to include his name in the list of the Chandigarh Administration for delivering the possession of the flats to be constructed under the Chandigarh Small Flats Scheme, 2006 (in short "the Scheme") (Annexure P-1) on lease hold basis for 99 years for slum area of Chandigarh Administration.

2. In the year 2006, a special scheme for daily wager employees in UT Administration who lived in slum area was launched to own their houses in Chandigarh under the Scheme. The petitioner being eligible, applied under the Scheme by submitting an application. The respondents issued a press release dated 21.8.2013 of the eligible candidates for the flats but the name of the petitioner was not mentioned there despite having fulfilled all the requisite terms and conditions for the

allotment of a flat. The petitioner moved a representation dated 8.5.2015 (Annexure P-6) to the respondents for inclusion of his name in the list of the Chandigarh Administration for delivering the possession of the flat to be constructed under the Scheme on leasehold basis for 99 years for slum area of Chandigarh Administration, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has moved a representation dated 8.5.2015 (Annexure P-6) to the respondents, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to decide the representation dated 8.5.2015 (Annexure P-6), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

May 28, 2015
gbs

(REKHA MITTAL)
JUDGE