

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 15029 of 2015

Date of Decision: 27.7.2015

Sunita Devi

....Petitioner.

Versus

Chandigarh Housing Board, Chandigarh and others

...Respondents.

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

PRESENT: Mr. Sanjeev Sharma, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this writ 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 the respondents to allot an alternate house to them under the Chandigarh Small Flats Scheme, 2006 (in short “the Scheme”).

2. The Chandigarh Administration after conducting a bio-metric survey in March, 2006, identified 18 colonies where unplanned habitations have encroached upon the public land. The persons included in the bio-metric survey were eligible for license fee based accommodation under the Scheme. The petitioner was resident of House No. 662/21, B Block, Colony No.5, Sector 45, Chandigarh and had been residing there for the last more than 15 years. Her name was placed at Sr. No. 5927 in the bio-metric survey conducted by the Chandigarh Administration. In spite of her various visits to the

respondents, she was not given an alternate house. Accordingly, the petitioner made a representation dated 10.1.2015 (Annexure P-5) to the Chairman, Chandigarh Housing Board, Chandigarh for allotment of an alternate house, 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 10.1.2015 (Annexure P-5) to the Chairman, Chandigarh Housing Board, Chandigarh, 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.1 to take a decision on the representation dated 10.1.2015 (Annexure P-5), 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

July 27, 2015
gbs

(REKHA MITTAL)
JUDGE