

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 18808 of 2015 (O & M)

Date of decision: 18.11.2015

Balwinder Kaur

...Petitioner(s)

Versus

House Allotment Committee, U.T., Chandigarh and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. ADS Jattana, Advocate,
for the applicant-petitioner.

G.S.SANDHAWALIA, J. (Oral)

C.M. No. 15069 of 2015

Application for placing on record Annexures P-10 (colly), P-11
and P-12 is allowed, subject to all just exceptions.

The same are taken on record.

CWP No. 18808 of 2015

The petitioner seeks quashing of the order dated 19.08.2015
(Annexure P-8) whereby, the ejectment of the petitioner has been ordered
under the Public Premises (Eviction of Unauthorized Occupants) Act, 1971
on account of the cancellation of the official accommodation of House No.
11/747, Sector 7, Chandigarh on account of her superannuation and her
entitlement to retain the government accommodation till 28.02.2015.

While issuing notice of motion, this Court passed the following
order:-

*“Counsel contends that the petitioner, who is a
single lady, after extension of service had retired at the*

age of 60 years on 31.10.2014. She was entitled to retain the government accommodation till 28.02.2015, failing which, she was to pay penal rent to the tune of ₹8,503/- per month. Her retiral dues were only paid in February, 2015 (Annexure P-3) due to which the construction of her house got delayed. The allotment was cancelled on 23.05.2015 w.e.f. 01.03.2015 and thereafter, show cause notice was issued under Section 4(1) of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 on 09.04.2015 (Annexure P-5). The petitioner had requested the respondents explaining her situation vide representations dated 14.05.2015 and 13.08.2015 but the eviction order has been passed on 19.08.2015 (Annexure P-8).

Notice of motion for 04.11.2015.

In the meantime, subject to the deposit of the penal rent from 01.03.2015 till 31.10.2015, the petitioner shall be entitled to stay in the government accommodation. It is made clear that the order shall stand vacated after 31.10.2015 and also in case the petitioner does not deposit the amount within one week from today.”

The petitioner, thereafter, has filed an application bringing to the notice of this Court that the order has been complied with. The petitioner has paid the dues and vacated the house on 30.10.2015 and paid the entire rent and penal rent till October, 2015. The possession of the house was also handed over on 05.11.2015 and the receipt of the handing over is also attached as Annexure P-11. The no due certificates against the electricity bill and the water bills have also been appended as Annexure P-10 (colly) and the rent for the additional period of 5 days as Annexure P-12.

None has put in appearance on behalf of the U.T.

Administration, which was the opposing respondent. It is obvious that the petitioner has duly complied with the interim order passed by this Court.

In such circumstances, the present writ petition has been rendered infructuous and the same is disposed of as such.

(G.S. SANDHAWALIA)
JUDGE

18.11.2015
shivani

