

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

**CWP No. 5066 of 2015
Decided on : 06.05.2015**

Jasbir Singh

. . . Petitioner

Versus

Chandigarh Housing Board and another

. . . Respondents

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

PRESENT: Mr. Gurinderjit Singh, Advocate
for the petitioner.

Mr. Indresh Goel, Advocate
for the respondents.

AJAY KUMAR MITTAL, J. (Oral)

Learned counsel for the respondents states that the Chandigarh Housing Board has issued an office order on 07th April, 2015, to the following effect:-

“In continuation of office order No. HB/AOI/SO(VII)-2012/2684 dated 29.02.2012 and in pursuance of Hon'ble High Court of Punjab and Haryana, at Chandigarh, decision dated 13.01.2015, passed in CWP No.27322 of 2013, titled as “Kuldip Chand Pathania Vs. Chandigarh Housing Board and others”, a reference was made to the Sr. Standing Counsel, Chandigarh Housing Board for soliciting legal opinion in connection with this decision. The Sr. Standing Counsel, CHB has opined that the Judgement does not confer any right during the lock-in period. As such any transfer that takes place will be 'in presenti'. As long as there are no financial implications to the detriment of CHB, transfers may go ahead.

Therefore, it is hereby directed that all cases of GPA transactions, where GPA/SPA & Agreement to Sell/Will were executed on or before 11.10.2011, are permissible, whether

the documents were executed within the lock-in period or beyond it. However, the transfer will be done only after the expiry of lock-in period and must be covered under the original GPA Transfer Policy framed by the Board vide its Agenda Item No. 270.5.1 in its 270th meeting.”

2. The photocopy of the office order dated 07th April, 2015, issued by the Chandigarh Housing Board is taken on record.
3. In view thereof, learned counsel for the parties state that the instant writ petition has become infructuous and may be disposed of as such.
4. Ordered accordingly.

(AJAY KUMAR MITTAL)
JUDGE

(REKHA MITTAL)
JUDGE

May 06, 2015

J.Ram