

CWP No. 5122 of 2015
Date of Decision: 20.03.2015

KANTA SHARMA

..... **Petitioner**

VERSUS

ESTATE OFFICER UT CHANDIGARH

..... Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Karan Singla, Advocate
for the petitioner.

Learned counsel for the petitioner states that the judgment passed by this Court in **CWP No.2317 of 2014** titled as "***Dinesh Kumar and others Vs Union Territory of Chandigarh and others***" decided on 22.12.2014 (Annexure P-8) entitles the consideration of not only the voter list but other statutory residential proofs, such as the driving licence issued under the Motor Vehicles Act, the passport issued under the Passport Act, 1967 and such like other statutory documents establishing the place of residence. Merely because the petitioner did not possess the voter list, identity card or the name of the petitioner did not figured in the voter list cannot be a ground for denying her the benefit under the Chandigarh Small Flat Scheme of 2006. He, therefore, contends that although the Permanent Lok Adalat as on the basis of the policy as has been existed prior to the judgment passed by this Court referred to above by the order dated 12.03.2012 (Annexure P-7) not accepted the claim of the petitioner but in view of the Division Bench judgment, the claim of the petitioner requires to be considered and the decision taken thereon, accordingly. In support of her claim, reliance has been placed upon Annexure P-4 (page-19) issued on

15.10.2003, which is a driving licence of the petitioner, Pan Card (Annexure P-5) which is accompanied by the forwarding letter. Reliance has also been placed upon the document showing that the husband of the petitioner was also having the same residence.

If that be so, liberty is granted to the petitioner to approach the Estate Officer, UT, Chandigarh with a representation within a period of two weeks. If such a representation is made appending along with that the copy of the writ petition, the same shall be considered and decided by the said authority within a period of two months from the date of receipt of copy of the order and the representation.

Decision was taken be conveyed to the petitioner forthwith.

(AUGUSTINE GEORGE MASIH)
JUDGE

March 20, 2015
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