

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.5322 of 2015 (O&M)
DATE OF DECISION: 17.08.2015

Mehar Singh

....Petitioner

versus

Union Territory Chandigarh and others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Vinod Chaudhri, Advocate for the petitioner
Mr. Vikram Vir Sharda, Advocate for U.T., Chandigarh
Mr. G.S. Wasu, Advocate for respondent
No.2-Chandigarh Housing Board

..

S.J. VAZIFDAR, ACTING CHIEF JUSTICE (Oral):

The petitioner seeks allotment of a flat in lieu of his *Jhuggi*. The petitioner had earlier approached the Permanent Lok Adalat with an application under Section 22C of the Legal Services Authorities Act. That application was disposed of by an order dated 06.01.2012 directing the respondents to examine afresh the petitioner's application and to grant the consequential relief in the event of the petitioner being found eligible even if the same needs amendments/deviation.

2. The petitioner thereafter, by his letter dated 22.12.2014, sent a reminder and requested the respondents to decide the matter expeditiously. No decision has been taken as yet.

3. The petitioner's apprehension is that the respondents may demolish his *Jhuggi* even before deciding the application. The

respondents, on the other hand, state that the application has already been sent for examination. The respondents do not admit that the petitioner is in possession of the *Jhuggi*.

4. In the circumstances, the petition is disposed of by directing the respondents to decide the application within eight weeks from today. The parties including the petitioner shall maintain status-quo in respect of the *Jhuggi* that the petitioner claims to be in possession of till the decision on the application and for a period of eight weeks thereafter in the event of the order being adverse to the petitioner. The petitioner makes a statement that in the event of a flat being allotted, the petitioner will vacate the *Jhuggi* and hand over possession thereof to the respondents. The statement is accepted and it is so ordered.

5. It is further ordered that the handing over of possession of flat to the petitioner and the petitioner's handing over of possession, if any, of the *Jhuggi* shall be done simultaneously. Needless to add that all the contentions are kept open including as to whether the petitioner is in actual physical possession of the *Jhuggi*.

(S. J. VAZIFDAR)
ACTING CHIEF JUSTICE

17.08.2015
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(TEJINDER SINGH DHINDSA)
JUDGE