

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 8119 of 2015

Date of Decision: 29.4.2015

Sham Sunder

....Petitioner.

Versus

Union Territory, Chandigarh and others

...Respondents.

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

PRESENT: Mr. Harminder Singh, Advocate with
Mr. Ashok Kumar Dhiman, 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 consider his claim for allotment of a small flat under the provisions of The Chandigarh Small Flats Scheme, 2006 (in short "the Scheme").

2. In the year 2006, a bio-metric survey was conducted in various colonies including Nehru Colony, Kajehri, Chandigarh and in the said survey, the petitioner was found to be resident of 313/2, MC, Nehru Colony, Kajehri, Chandigarh and as such was issued Form No. 25156, Labour Colony, Block D. After completion of the said form, the same was submitted to respondent No.6. On the said address, the petitioner was issued Voter Identity Card and Aadhaar Card. On 5.3.2013, he received a letter from respondent No.6 inviting applications from the persons eligible and covered in the bio-metric survey under the Scheme.

In pursuance thereto, the petitioner submitted his application complete in all respects. When no response was received from the respondents, the petitioner made a representation dated 14.11.2014 (Annexure P-9) to respondent No.6 for allotment of flat on monthly licence fee basis. Thereafter, the petitioner sent a legal notice dated 19.3.2015 (Annexure P-10) to respondent No.6 but no action has been taken thereon 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 14.1.2014 (Annexure P-9) and thereafter sent a legal notice dated 19.3.2015 (Annexure P-10) to respondent No.6, 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.6 to take a decision on the representation dated 14.11.2014 (Annexure P-9) and legal notice dated 19.3.2015 (Annexure P-10), respectively, 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

April 29, 2015
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(REKHA MITTAL)
JUDGE