

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Letters Patent Appeal No.17 of 2015 (O&M)

DATE OF DECISION: 08.01.2015

Estate Officer, U.T., Chandigarh

....Appellant

versus

Rudhal Shah and another

.....Respondents

**CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present: Mr. Vivek Chauhan, Advocate for the appellant

..

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

A statement was made before the Permanent Lok Adalat that the respondent meets the eligibility criteria as per the Scheme of 2006. The appellant was, therefore, directed to allot the respondent an alternate site without further unjust delay. It is also important to note that the appellant had made a statement before the Permanent Lok Adalat that the respondent is a bona fide claimant. This order was passed on 30.08.2011 by the Permanent Lok Adalat.

2. The appellant, however, rejected the claim on the ground that the respondent's name was not on the voter-list at the time of allotment, meaning thereby at the time when the impugned order was passed. The writ petition was filed three

years after the order of the Permanent Lok Adalat. The learned Judge has rightly refused to entertain the petition.

3. In view of the above facts, the appeal is dismissed.

4. It is not necessary to consider the application for condonation of delay in view of the order passed in the main appeal.

**(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE**

08.01.2015
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**(AUGUSTINE GEORGE MASIH)
JUDGE**