

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

CWP No. 20787 of 2016

DATE OF DECISION : 04.10.2016

Dhoopa alias Dhoop Singh

.... PETITIONER

Versus

The Chief Administrator, Chandigarh and others

..... RESPONDENTS

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

HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. I.P.S. Mangat, Advocate, for
Ms. Jatinder Jit Kaur, Advocate,
for the petitioner.

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RAMENDRA JAIN , J.

1. The petitioner has filed this petition under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus directing the respondents to accept all Government dues which are due towards him in regard to Transit Site No. 1119, Kassar Colony, U.T. Chandigarh.

2. The case of the petitioner is that vide allotment letter dated 08.03.1977 (Annexure P-1) issued by the Chandigarh Administration, he was allotted Transit Site No. 1119, Kassar Colony, U.T. Chandigarh, on license fee of ₹ 10/- per month. He was regularly making payment of the license fee, but no receipt in this regard was being issued to him by the respondents. On the basis of Aadhar Card (Annexure P-3) and the Voter Identity Card (Annexure P-4) issued by the Election Commission of India

on 19.09.1994, the petitioner is claiming that he along with his family

members is residing in the site in question. In the month of July, 2012, some officials of the respondents told the petitioner that he is in arrears of the license fee, therefore, he shall be evicted from the site in question. Immediately thereafter, the petitioner submitted a representation dated 19.07.2012 (Annexure P-5) to the Administrator, Union Territory, Chandigarh, stating therein that though he has paid the entire license fee, but even then if any amount is due towards him, he is ready to pay the same. While relying upon an order dated 05.10.2015 (Annexure P-6) passed by respondent No.1 in case of one Raja alias Raj Kumar, whereby the Estate Officer was directed to calculate the amount due, the petitioner approached respondent No.1 by filing a petition dated 18.05.2016 (Annexure P-7) seeking similar direction to the Estate Officer, but the same was not entertained and was returned back by saying that the direction can only be issued by this court.

3. We do not find any merit in the instant petition. In the instant case, the petitioner had submitted representation dated 19.07.2012 (Annexure P-5) to the Administrator, U.T. Chandigarh. He has not disclosed the fate of his said representation. The facts of the case of Raja alias Raj Kumar are entirely different. In that case, the Deputy Chief Administrator, Union Territory, Chandigarh, had passed an order cancelling the license of the allottee. But in the instant case, no such order has been passed. It is the simple case of the petitioner that some officials of the respondents threatened him to evict from the site in question on account of non payment of license fee. The plea of the petitioner that the petition dated 18.05.2016 (Annexure P-7) filed by him before respondent No.1 was not entertained

and was returned back to him without passing any order is also vague. In these circumstances, we are not inclined to issue any direction to the respondents.

4. Dismissed.

**(RAMENDRA JAIN)
JUDGE**

October 04, 2016
ndj

**(AJAY KUMAR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No