

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

**Civil Writ Petition No.6075 of 2016
Date of Decision: December 08, 2016**

The Estate Officer, UT, Chandigarh

...Petitioner

Versus

Meera & Anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.Amit Arora, Advocate,
for the petitioner.

Mr.Aman Bahri, Advocate,
for respondent No.1.

RAMESHWAR SINGH MALIK, J.(Oral)

Feeling aggrieved against the order dated 06.02.2014 (Annexure P-5) passed by the Permanent Lok Adalat (Public Utility Services), UT, Chandigarh, petitioner has approached this Court, by way of instant writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of Certiorari, for quashing the impugned order.

Notice of motion was issued to the limited extent for grant of allotment of an alternative site only to one of the heirs.

Learned counsel for respondent No.1 appears and fairly states that he has got no objection, if allotment of an alternative site is made

jointly in favour of all the five legal heirs of late Smt.Sanchari Devi-their mother, wife of late Sh.Radhey Shyam, so as to avoid any kind of controversy in future. Written statement dated 07.12.2016 on behalf of respondent No.1, filed today in the Court is taken on record and copy thereof , has been supplied to learned counsel for the petitioner.

Learned counsel for respondent No.1, while referring to the particulars of all the five legal heirs of late Smt.Sanchari Devi in para no. 3 of the written statement, filed today in the Court, submits that let the competent authority allot the alternative site in favour of all these five legal heirs.

Faced with the above, learned counsel for the petitioner also fairly states that the petitioner would have no objection in making joint allotment in favour of all the five persons, whose particulars have been given in para No.3 of the written statement filed today in the Court. However, he submits that let all the five claimants-legal heirs of late Smt.Sanchari Devi make a joint application to the competent authority and thereafter, the needful shall be done, at an early date.

In view of the abovesaid respective stands taken by learned counsel for the parties, present writ petition is disposed of with a

direction to the Estate Officer, UT, Chandigarh, that if respondent No.1 along with her four other brothers and sisters jointly apply for allotment of an alternative site within a period of one month from today, the same shall be considered in accordance with law and final action shall be taken within a period of two months after receipt of joint application from the claimants-respondent No.1.

However, should there be any confusion in this regard, since late Smt.Sanchari Devi, mother of respondent No.1, was found eligible and entitled for the allotment, petitioner shall not deny the allotment to the legal heirs of late Smt.Sanchari Devi, on account of their eligibility as the same has gone undisputed before this Court.

Resultantly, with the abovesaid observations made and directions issued, instant writ petition stands disposed of. No costs.

December 08, 2016

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**(RAMESHWAR SINGH MALIK)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No