

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

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CWP-9415-2015 (O&M)
Date of decision: 03.05.2016

Krishna Sheoran and others

....Petitioners

Versus

State of Haryana and others

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

1. Whether Reporters of local papers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Birender Singh Rana, Advocate with
Mr. Rajinder Paul, Advocate and Mr. Gagandeep Rana, Advocate
for the petitioners.

Mr. R.K.Makkad, DAG, Haryana.

P.B. Bajanthri, J. (Oral)

Short reply has been filed on behalf of the respondents. Same is taken on record.

The petitioners are stated to have working in Education Department in various posts. Deputy Commissioner, Faridabad-4th respondent has allotted house accommodation to each one of the petitioner. Vide Annexure P-9, the Deputy Commissioner has issued an order with reference to the decision taken in the Committee stating that the house accommodation occupied by the petitioners are in the Education Department. The house accommodation are ear-marked for the revenue department. Learned counsel for the petitioners submitted that one of the

petitioner has submitted objections to the order vide Annexure P-10. During pendency of the objection dated 1.5.2015 vide Annexure P-10 the petitioners have approached this Court. This court has stayed the operation of Annexure P-9. The Joint Director (C&V) office of the Director Elementary education, Panchkula Haryana has filed reply. The Annexure P-9 dated 18.03.2015 is issued by the 4th respondent-Deputy Commissioner, Faridabad. He has not filed statement of objection till date. Short reply filed by the Joint Director does not provide any information like any rules/order/circulars/official memorandum governing allotment/cancellation of Government accommodation so as to point out that Government accommodation allotted to the petitioners are ear-marked for revenue department. In the absence of the same, it is not fair and proper to ask the petitioners to vacate the allotted house accommodation. Reading of the order dated 18.03.2015 (Annexure P-9) issued without hearing the petitioners. Therefore, Annexure P-9 is treated as notice and the petitioners are directed to file objections, if any, within 2 weeks' from today.

The 4th respondent is directed to examine objections of the petitioners and take decision in accordance with law within a period of 3 months. Till then dispossession of the petitioners from the allotted Government accommodation is stayed.

CWP stands disposed of.

03.05.2016

pooja saini

(P.B. BAJANTHRI)
JUDGE