

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CR No.7041 of 2016
Date of decision:18.8.2017**

Mool Chand

...Petitioner

Versus

The Estate Officer, Union Territory, Chandigarh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Ms.Naiya Gill, Advocate for the petitioner.
Mr.Jaivir S. Chauhan, Advocate for respondent No.1.
None for respondent No.2.

RAMESHWAR SINGH MALIK, J. (Oral)

Learned counsel for contesting respondent No.1 refers to para 17 of the Chandigarh Small Flats Scheme 2006, to contend that the impugned order dated 11.1.2016 (Annexure P-5) is appealable before the Chief Executive Officer, Chandigarh Housing Board. In this regard, he also places reliance on an order dated 22.2.2017 passed by this Court in CWP No.22412 of 2015 (Ramesh Kumar Vs. The Permanent Lok Adalat and others).

Faced with the above, learned counsel for the petitioner seeks permission of the Court to withdraw the present civil revision petition with liberty to the petitioner to file his appeal against the impugned order. She further submits that since the petitioner has been pursuing this revision petition before this Court under a bonafide wrong impression, respondents may be directed not to raise the issue of limitation against the petitioner.

After hearing the learned counsel for the parties and going through the record of the case, the instant civil revision petition is dismissed as withdrawn, with liberty to the petitioner to file his appeal under Clause 17 of the above-said Scheme. It is clarified that in case the appropriate appeal is filed by the petitioner within a period of two weeks from today, the respondents shall not raise the issue of limitation, as the petitioner was pursuing the present revision petition before this Court under a bonafide wrong impression.

Disposed of, accordingly.

18.8.2017
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No