

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

**CWP-15419-2011 (O&M)
Date of decision : 26.04.2017**

U.T. of Chandigarh

... Petitioner(s)

Versus

Permanent Lok Adalat (Public Utility Services) & another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. I.P.S. Dobia, Advocate
for the petitioner in CWP No.15419-2011.

Mr. Suvir Sehgal, Senior Standing Counsel with
Mr. Jaivir Chandail, Advocate,
for the petitioner in CWP Nos.2122, 14885 & 16205 of 2016.

Ms. Sonia Sharma, Advocate
for the petitioner in CWP-9892-2013.

Mr. A.P. Setia, Advocate
for the petitioner in CWP-23167-2014.

Mr. Kuldeep Singh Yadav, Advocate
for the petitioner in CWP-272-2016.

Mr. Abhilaksh Grover, Advocate
for the petitioner in CWP-915-2016.

Mr. Deepak Saini, Advocate
for respondent No.2 in CWP-9892-2013.

Mr. Sudesh Kumar Khurcha, Advocate
for respondent No2 in CWP-23167-2014.

Mr. Indresh Goel, Advocate
for respondent No.1 in CWP-272-2016 and
for respondent No.3 in CWP-915-2016.

Mr. Harkesh Manuja, Advocate
for respondent No.2 in CWP-272-2016.

Mr. Bikramjit Singh Randhawa, Advocate
for respondent No.2 in CWP-272-2016 and
for respondent Nos.1 and 2 in CWP-915-2016.

Mr. Kanwaljeet Singh Derabassi, Advocate
for respondent No.1 in CWP-2122-2016.

Mr. Satnam Singh, Advocate
for respondent No.1 in CWP Nos.14885 & 16205 of 2016.

AMIT RAWAL, J. (ORAL)

This order of mine shall dispose of eight writ petitions bearing CWP No.15419 of 2011 titled as “U.T. Of Chandigarh V/s Permanent Lok Adalat (Public Utility Services) and another”, CWP No.9892 of 2013 titled as “U.T. Of Chandigarh V/s Permanent Lok Adalat (Public Utility Services) and another”, CWP No.23167 of 2014 titled as “U.T. Of Chandigarh V/s Permanent Lok Adalat (Public Utility Services) and another”, CWP No.272 of 2016 titled as “Lal Ji V/s U.T. Of Chandigarh and another, CWP No.915 of 2016 titled as “Anbari V/s U.T. Chandigarh and others, CWP No.2122 of 2016 titled as “Estate Officer, U.T., Chandigarh V/s Shekhpatti and another”, CWP No.14885 of 2016 titled as “Estate Officer, U.T. Chandigarh V/s Marri Mutu and others” and CWP No.16205 of 2016 titled as “Estate Officer, U.T. Chandigarh V/s Mohammad Asfaf@ Mohammad Yusuf and another”.

These cases had been heard at length and after hearing the arguments at some length, the counsel representing the Chandigarh Administration, on instructions from concerned Officer/Department and as well as the counsel representing the applicants, who are stated to have submitted their applications before the Permanent Lok Adalat, in view of

the promulgation of the Scheme of 2006, have arrived at a consensus of availing the remedy, against the rejection of the applications by the Chandigarh Administration, by filing an appeal under Clause 17 of the Scheme of 2006 (as amended upto date) before the Chief Executive Officer of the Chandigarh Housing Board.

Resultantly, the orders passed by the Permanent Lok Adalat entertaining the applications are hereby set aside.

However, the private respondent(s) i.e. Shekhpati Devi/ respondent No.1 in CWP No.2122 of 2016 and LRs of Prem Chand/respondent No.2 in CWP No.9892 of 2013, in pursuance to the orders of the Permanent Lok Adalat have been issued a provisional allotment. The aforementioned provisional allotment/allotments shall not be disturbed till there is a decision by the Chief Executive Officer.

The parties shall be at liberty to place on record all the relevant material which they deem it appropriate, confirming to the terms and conditions of the Scheme in order to bring them within the zone of the entitlement of the allotment of the plot.

This Court is sanguine of the fact that the Chief Executive Officer shall decide the matter in a most pragmatic manner and will adopt objective approach, much less, by affording the effective opportunities to the parties in accordance with law.

In case the appeals are filed within a period of one months from the date of the receipt of the certified copy of this order, there shall be no objection qua limitation, in essence, the same shall be treated within the period of limitation.

If any appeal has already been filed, the same shall also be decided keeping in view the aforementioned observations.

Let this exercise be done within a period of of six months from the date of the receipt of the certified copy of this order.

The writ petitions stands disposed of in view of the aforementioned consensus arrived at between the parties.

26.04.2017
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned **Yes**

Whether Reportable **No**