

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.20543 of 2016
Date of decision:19.09.2017

The Estate Officer, U.T. Chandigarh ...Petitioner

Versus

Rama Ishwar and others ...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Suman Jain, Advocate, and
Mr. Abhinav Gupta, Advocate, for the petitioner.

Mr. R.C.Sharma, Advocate, for respondent no.1.

Mr. P.C.Choudhary, Advocate, for respondent no.2.

Rakesh Kumar Jain, J. (Oral)

The petitioner has challenged the order of the Permanent Lok Adalat (Public Utility Services), Chandigarh dated 18.11.2015, by which application filed by respondent no.1 has been allowed.

Counsel for the petitioner submit that the order passed by the Administration was amenable to appeal in terms of Clause 17 of the Chandigarh Small Flats Scheme, 2006 (as amended upto date) and rely upon a decision of this Court rendered in the case of **Estate Officer, U.T., Chandigarh vs. Dhanpat Yadav and another**, CWP No.14745 of 2016, decided on 08.08.2017.

Counsel for respondent no.1 has also admitted that the present case is covered by the aforesaid decision.

Consequently, the present petition is hereby allowed and the impugned order passed by the Permanent Lok Adalat is set aside. However, respondent no.1 is relegated to his remedy of appeal before the Chief Executive Officer, Chandigarh Housing Board. In case the appeal is filed by respondent no.1 within one month from the date of receipt of certified copy of this order, the Appellate Authority shall not raise the issue of limitation and decide the appeal in accordance with law.

September 19, 2017

vinod*

(Rakesh Kumar Jain)

Judge

Whether speaking / reasoned : Yes/No

Whether reportable : Yes/No