

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-2809-2016

Date of Decision: January 09, 2017

Shakuntla Devi

.....Petitioner

Versus

The Additional Chief Administrative Greater Mohali Area Development
Authority, Mohali and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

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| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.R.K.Goyal, Advocate
for the petitioner.

Mr.Rajesh Bhardwaj, Addl.AG, Punjab.

Mr.Sumit Jain, Advocate
for the respondents.

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SURYA KANT, J.

The petitioner's grievance is against the cancellation of allotment of LIG H.No.3300, Sector 70, S.A.S.Nagar, Mohali. The allotment was cancelled on account of misuse as commercial activities were being carried out from the said residential premises. The petitioner's appeal etc. were also dismissed.

[2] It is not necessary to go into details of the facts, for the reason that the petitioner has admittedly removed the encroachment and stopped the unauthorised activities. The penalty imposed on the petitioner has also been

deposited as stated by her counsel. A further undertaking is also given to the Court that in future the premises shall not be misused.

[3] In this view of the matter and keeping in view the parameters laid down by the Full Bench of this Court in Dheera Singh vs UT Chandigarh Administratrion and others 2012(4) RCR (Civil) 970, the writ petition is allowed. The impugned order of cancellation of allotment as well as the appellate and the revisional orders are set aside and the allotment is restored in favour of the petitioner subject to the condition that the petitioner shall not misuse the subject premises for any commercial or other illegal purposes.

(SURYA KANT)
JUDGE

January 09, 2017
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(SUDIP AHLUWALIA)
JUDGE

1.	Whether speaking/reasoned ?	Yes/No
2.	Whether reportable ?	Yes/No