

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

**CWP-9206-2016 (O & M)
Date of decision: 31.08.2017**

Babli

....Petitioner

V/s

Chandigarh Housing Board and ors.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Lokesh Sharma, Advocate, for the petitioner.

Ms. Aakanksha Sawhney, Advocate, for respondent No.1.

None for respondents No.2 and 3.

Rajan Gupta, J. (Oral)

Present petition has been filed seeking a writ in the nature of mandamus to direct the respondents to allot an alternate house to the petitioner under the Chandigarh Small Flats Scheme, 2006. Further, a prayer has been made to quash the order 09.10.2015 (Annexure P-3), passed by Public Utility Services, UT, Chandigarh, whereby claim of the petitioner for allotment of alternate site has been rejected.

At the outset, it is submitted that all connected matters have been disposed of by a coordinate bench in CWP No.15419 of 2011, decided on 26.04.2017, with liberty to the applicant to file appeal before the Chief Executive Officer in terms of Section 17 of Scheme of 2006.

As a result, the impugned order passed by the Public Utility Services, UT, Chandigarh, is hereby set-aside. The Chief Executive Officer would decide the issue after considering all the relevant material on

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record being conscious of all the facts and circumstances of the case. In case the petitioner prefers an appeal within one month from the date of receipt of certified copy of the order, no question of limitation shall be raised by the appellate authority.

Disposed of.

August 31, 2017
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No