

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.3550 of 2017.

Date of Decision: February 23, 2017

Ram Kali

.....Petitioner

versus

Union Territory, Chandigarh and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

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

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Surya Kant, J. (Oral)

The petitioner seeks a direction to Chandigarh Administration to allot her one-room tenement under the 'Chandigarh Small Flats Schemes', notified from time to time. It is alleged that the petitioner alongwith her family is residing in Jhuggi No.535, Backside Hockey Stadium, Sector 18-A, Chandigarh since the year 1975. It is further alleged that husband of the petitioner is missing since March/April, 2012. The petitioner contends that she fulfills all the eligibility conditions for allotment of one room tenement firstly under the 'Chandigarh Allotment of Low Cost Tenements on Lease and Hire Purchase Basis Scheme, 1979 and thereafter under the later Schemes, including 'Chandigarh Small Flats Scheme, 2006'. It is further averred that the claim of the petitioner's family for allotment of tenement is pending consideration since the year 1998 when her husband applied on 10.02.1998 and the said claim was duly recommended by the office of Administrator, U.T. Chandigarh, vide diary No.811-RB dated 12.02.1998. The petitioner firstly represented the authorities and thereafter served them with a legal notice dated 10.09.2015 (P-3) but finding no response that the

instant writ petition has been filed.

Having heard learned counsel for the petitioner and considering the nature of relief sought by her, the writ petition is disposed of without expressing any views on merits of the petitioner's claim, with a direction to the Deputy Commissioner, Chandigarh and Estate Officer, Union Territory, Chandigarh, to verify and decide the petitioner's claim by passing a reasoned order within a period of three months from the date of receiving a certified copy of this order. It is further directed that while considering the claim of the petitioner, the judgment of this Court in Dinesh Kumar and others versus Union Territory, Chandigarh and others, 2015(4) RCR (Civil) 54, shall also be followed. In case the petitioner is found entitled to, the necessary allotment be made within one month thereafter.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

February 23, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No