

In the High Court of Punjab and Haryana at Chandigarh

CWP No.15088 of 2017

Date of decision: September 18, 2018

Shamawati

..... Petitioner

Versus

State of Punjab and others

..... Respondents

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

Present: Mr. Mohit Jaggi, Advocate for the petitioner.
Mr. Shekhar Verma, Advocate
for respondent No.2.

SURYA KANT, J. (ORAL)

The petitioner had given affidavit in favour of her sister for allotment of plot by GMADA at SAS Nagar Mohali. Based upon that consent/No Objection Certificate, allotment was made in favour of respondent No.2 under the Oustees Quota.

The petitioner now through this writ petition has laid challenge to the allotment on the ground that she never gave the alleged affidavit. The writ petition obviously raises disputed question of facts as the issue whether or not Affidavit (Annexure R2/1) was given by the petitioner with her free consent or not, are essentially the question of facts, which can be effectively determined by the Civil Court only. The then Chief Administrator thus rightly passed the impugned order dated 12.05.2016 relegating the petitioner to pursue her remedy before

Civil Court.

Ordered accordingly.

Let the Civil Suit, if filed, be decided expeditiously on merits.

(SURYA KANT)
JUDGE

(SUDIP AHLUWALIA)
JUDGE

September 18, 2018
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Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No