

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.19284 of 2017

Date of Decision: September 14, 2018

Shakil Khan and others

.....Petitioners

versus

Union Territory, Chandigarh and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Deepak Thapar, Advocate, for the petitioners.
Mr.Sourabh Goel, Advocate and
Ms.Aakanksha Sawhney, Advocate, for respondent Nos.1 & 3.
Mr.Arjun Sharma, Advocate, for respondent No.2.

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Surya Kant, J. (Oral)

Learned counsel for the parties though are *ad-idem* that the controversy involved in the instant case is covered by the order dated 01.06.2017 passed in CWP No.12487 of 2017 (Bal Mukand and others versus Union Territory, Chandigarh Administration and others) (P-17), but learned counsel for the petitioners points-out that in terms of the directions issued in the cited case, the claim of writ-petitioners has been rejected by the Estate Officer-cum-Prescribed Authority and they have filed appeals and some decision appears to have been taken on their appeals as well.

In this fact situation, the instant writ petition is disposed of with liberty to the petitioners to approach the Appellate Authority. It is directed that the Appellate Authority shall consider the petitioners' claim independently and uninfluenced of the order passed pursuant to the directions issued in Bal Mukand and others' case (supra). The subsequent

Scheme of 2006 shall also be kept in view while deciding the claim of the petitioners.

Ordered accordingly.

[SURYA KANT]
JUDGE

September 14, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE

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

CM No.13806 of 2018 in
CWP No.19284 of 2017

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Shakil Khan and others vs. Union Territory, Chandigarh and others

Present : Mr.Deepak Thapar, Advocate,
for the applicant-petitioners.
Mr.Sourabh Goel, Advocate and
Ms.Aakanksha Sawhney, Advocate
for respondent Nos.1 & 3.
Mr.Arjun Sharma, Advocate,
for respondent No.2.

* * *

For the reasons mentioned in the application, the same is
allowed and written statement filed on behalf of respondent Nos.1 & 3 is
taken on record.

CM stands disposed of.

(SURYA KANT)
JUDGE

September 14, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE