

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.355 of 2014
Date of decision: 7.5.2018

Estate Officer, UT, Chandigarh

..Petitioner

Versus

Jhandu and another

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr.I.P.S.Doabia, Advocate for the petitioner.

Mr.Abhimanyu Kalsi, Advocate for respondent No.1.

Rakesh Kumar Jain, J.

This petition is directed against the order dated 04.08.2011 passed by the permanent Lok Adalat, Chandigarh by which the application filed under Section 22-C(1) of the Legal Services Authorities Act, 1987 has been allowed.

Counsel for the petitioner has submitted that the petitioner had an alternate remedy of appeal before the Chief Executive Officer, Chandigarh Housing Board in terms of Clause 17 of the Chandigarh Small Flats Scheme 2006 (Amended Scheme 2009) (for short 'the Scheme'). He has relied upon two orders passed by this Court in ***CWP No.365 of 2014 titled as Estate Officer, UT Chandigarh Vs. Gulshan and others decided on 23.8.2017 and CWP No.22186 of 2014 titled as Pappu Singh Vs. Chandigarh Housing Board and others decided on 4.10.2017.*** Counsel for the respondent could not cite any judgment to the contrary. Therefore, the petition is allowed. Order dated 04.08.2011 passed by the Permanent Lok Adalat is set aside and

Clause 17 of the Scheme. In case any such appeal is filed by respondent No.1 within a period of one month from the date of receipt of certified copy of this order, the Appellate Authority or the Chandigarh Administration would not raise any objection with regard to limitation and the Appellate Authority shall decide the appeal expeditiously in accordance with law.

May 7, 2018
Meenu

(Rakesh Kumar Jain)
Judge

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No