

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-7674-2017 (O & M)
Date of decision: 29.05.2018

Baljit Kaur Petitioner

V/s

U.T. Chandigarh and ors. ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Ms. G.K. Mann, Advocate, for the petitioner.

Mr. Arshdeep Bhullar, Advocate, for respondent No.3.

Mr. K.S. Sidhu, Sr. Advocate, with Mr. P.S. Sekhon, Advocate,
for respondent No.4.

Rajan Gupta, J. (Oral)

Petitioner has impugned order dated 15.12.2016 passed by the Deputy Commissioner-cum-District Magistrate, U.T., Chandigarh, who is the authority under the special enactment. It has been primarily contended that the order is cryptic. It does not deal with provisions of Section 27 of the Act. Certain aspects of the dispute have not been referred to in the said order. It, thus, needs to be set aside.

Mr. Sidhu submits that he has no objection if the matter is remitted to the same authority for a decision afresh as per law.

In view of the above, no opinion on merit is expressed. Impugned order is, however, set aside. Matter is remitted to the same authority for a decision afresh after affording an opportunity of hearing to the parties and taking into consideration all aspects of the matter including provisions of Section 27 of the Act. It shall endeavour to decide the matter at the earliest, in any case, not later than 04 months. Disposed of.

(RAJAN GUPTA)
JUDGE

May 29, 2018
sukhpreet

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