

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

125

Civil Writ Petition No.13522 of 2019
Date of Decision: May 21st, 2019

Sulakshana Devi

...Petitioner

Versus

Chandigarh Administration and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sumit Saddi, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court praying for quashing of the order dated 29.08.2018 passed by respondent No.1. whereby eviction of the petitioner from premises House No.12/1437, Sector 23, Chandigarh, has been ordered.

2. It is the contention of learned counsel for the petitioner that the house, which was allotted to Smt. Sulakshana Devi-petitioner, has been cancelled and, therefore, proceedings under Section 5 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971, were initiated against the petitioner, which have culminated in the order of eviction dated 29.08.2018. Appeal has been preferred by the petitioner before the District Judge, Chandigarh, which is now listed for hearing on 23.05.2019. Along with the appeal, application for interim stay was also moved but the said application has still not been decided, whereas the possession of the demised premises has been taken by the respondents. He contends that the petitioner requires a month's time to remove the belongings which are lying in the house in question. He, therefore, submits that a month's time may be granted to the petitioner to vacate the premises.

petitioner, the prayer made by the petitioner, cannot be accepted at this stage, especially in the light of the fact that the matter is pending before the Appellate Authority on 23.05.2019.

4. Let the petitioner file an appropriate application before the said Appellate Court along with the undertaking therein to the above effect and this Court is sanguine that the Appellate Authority would consider the same and pass an appropriate order on the said application.

5. The writ petition, stands disposed of with above observations.

May 21st, 2019
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No