

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

CWP-10120-2015 (O & M)

Date of decision: 21.05.2019

Sarban Singh

.... Petitioner(s)

V/s

Home Secretary, Chandigarh Administration, UT, Chd. And anr.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Parveen K. Kataria, Advocate, for the petitioner.

Mr. Kapil Kakkar, Advocate, for the respondents.

Rajan Gupta, J. (Oral)

Petitioner has impugned order dated 02.12.2014, Annexure P-7 vide which allotment of House No.1, Sector 7, Chandigarh (Type VI) in favour of the petitioner was cancelled as he has superannuated. Petitioner, however, claims that since he had been appointed as Commissioner in Right to Service Commission, Haryana at Chandigarh, he was entitled to occupy a higher category house. By virtue of interim order dated May 26, 2015, petitioner has continued to occupy the house in question for last almost four years. Learned counsel for the petitioner today submits that petitioner intends to vacate the house by the end of next month.

In view of same, further adjudication of the matter may not be necessary as no cause of action would survive. Petition is, thus disposed of. Petitioner shall, how be at liberty to seek his remedy in case any demand is raised by the respondent authority for payment of penal rent.

May 21, 2019
sukhpreet

(RAJAN GUPTA)
JUDGE