

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-22772-2019

Date of Decision:-17.09.2019.

Nirmal Singh, Inspector and others

.....Petitioners

Versus

Chandigarh Administration through the Advisor to the Administrator and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Alok Kumar Jain, Advocate for the petitioners.
Mr. Pankaj Jain, Senior Standing Counsel with
Mr. Anil Mehta, Addl. Govt. Pleader.

RAJIV NARAIN RAINA, J. (Oral)

1. This matter relates to a Police Housing Complex in the heart of Sector 17, Chandigarh, where the petitioners reside. The U.T. Administration has taken a decision to demolish the housing complex and shift the policemen to other Government accommodation as per their entitlement.

2. When this matter came up for hearing on 28.08.2019, the following order was passed:-

“Learned counsel for the petitioners refers to the orders dated 29.07.2019 (Annex. P-6) and 20.07.2019 (Annex. P-7) where the names of the police personnel are shown who are allotted Type-III houses in different sectors in Chandigarh after the proposed demolition of the police colony in Sector 17 Chandigarh. The UT police

personnel have been accommodated as per their rank and pay but the petitioners have been discriminated against although they belong to the Police Department while Ashwani Kumar is SI with the UT Administration. He further submits that UT Administration must deal equally with its employees and those from Punjab and Haryana.

Certain queries were put to Mr. Jain and he has responded with an affidavit of Pal Singh. The same is taken on record. It contains documents Annex. P-13 to P-15 in continuation of the Annexures filed with the writ petition.

Issue notice of motion to the respondents, returnable by 17.09.2019. Registry will send the affidavit together with the summons, for the UT Administration to respond to the notice.

In the meanwhile, electricity and water connections will not be disconnected from the houses of the petitioners and status quo will be maintained till the next date of hearing.

To be shown in urgent list.”

3. Mr. Pankaj Jain, learned Senior Standing Counsel, U.T. Administration submits that all the 5 petitioners have been allotted accommodation as per their entitlement.

4. Mr. Alok Kumar Jain, Advocate appearing for the petitioners agrees that petitioners No.2 to 4 have been allotted accommodation as per their entitlement and will shift on or before 01.10.2019 and hand over vacant possession to the authorities. Petitioner No.5 is no longer interested in Government accommodation as he proposes to shift into his own house and he too shall vacate by 01.10.2019. The dispute remains with regard to

case. He has applied for bid in the e-Awas online portal of the House Allotment Committee, U.T. Chandigarh but the picture regarding his allotment is not clear. This statement is taken note of and the Court has no doubt that the U.T. Administration will allot the first petitioner a suitable accommodation as per his entitlement, which Mr. Pankaj Jain, submits has in fact been allotted but may be unknown to the first petitioner as on today. In case petitioner No.1-Inspector Nirmal Singh has not been allotted Government accommodation, then the U.T. Administration is directed to allot him an accommodation as per his entitlement so that he too can shift by 01.10.2019. In case petitioner No.1-Inspector Nirmal Singh needs accommodation for a few more days beyond 01.10.2019, he may be granted accommodation for a week thereafter.

5. The petition has been rendered infructuous qua respondent Nos.2 to 5 and the case of first petitioner will abide the above directions.

6. Disposed of as such.

(RAJIV NARAIN RAINA)
JUDGE

September 17, 2019.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.