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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-6092 & 6097-CII-2019 in/and
COC-1891-2018 (O&M)
Date of decision: 29.10.2019

TULSI RAM

.. PETITIONER

VERSUS

SH.AJOY KUMAR SINHA, IAS & ORS

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Anil Rathee, Advocate
for the petitioner.

Mr. Nitin Kaushal, Advocate
for respondents No. 1 and 2.

AVNEESH JHINGAN, J. (Oral)

The petitioner filed a writ petition raising the grievance that immediate neighbours had raised unauthorised construction in the backyard and no action is being taken by the respondents. The writ petition was disposed of on 03.02.2017 with a direction to the Chairman and Chief Executive Officer, Chandigarh Housing Board to consider the complaint-cum-representation dated 10.01.2017 and take necessary actions, if so required.

The contempt petition has been filed pleading that needful has not been done by the respondents.

In the contempt proceedings, reply dated 03.12.2018 was filed, detailing the action taken against the encroachments/violations done by the occupiers of House No. 3283 & 3284 of various floors.

Learned counsel for the respondents, on instructions, submits

that even the petitioner has done violations and the same cannot be compounded even under the New Need Based Change Policy.

With regard to the violations of Houses No. 3283/2, 3284 and 3284/3, he states that the violations have been compounded and the allottees/occupiers have deposited the compounding fees. He states that the allotment of dwelling No. 3284/3 was cancelled vide order 28.09.2018 for the violations, however, the matter is pending in appeal.

Learned counsel for the petitioner submits that the said actions taken have not been communicated to the petitioner.

Learned counsel for the respondents submits that the details of action taken, as stated above as on date, would be communicated to the petitioner within four weeks from today.

In view of the above, the contempt petition is disposed of.

Since the main case is disposed of, the pending civil miscellaneous applications has been rendered infructuous.

29th October, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*