

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

**Civil Writ Petition No. 15802 of 2020 (O&M)
Date of Decision: 30.09.2020**

Vipan Kumar and others

..... Petitioners

Versus

Union Territory of Chandigarh and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH**

Present: Mr. Dilpreet Singh Gandhi, Advocate
for the petitioners.

Mr. Aditya Jain, Junior Panel Counsel
for respondent No. 1-Union Territory, Chandigarh.

*[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court]*

JASWANT SINGH, J. (ORAL)

The petitioners, three in number, [(1) Vipan Kumar; (2) Harjit Kaur; and (3) Divya Sehjal] seek issuance of writ in the nature of mandamus directing respondent Nos. 2 to 5 – Chandigarh Housing Board, Chandigarh, to demolish the illegal construction raised by private respondent Nos. 6 to 8 [(6) Mehar Singh; (7) Atar Singh; and (8) Rajan Joshi].

Petitioner Nos. 2 & 3 are the wife and daughter of petitioner No. 1, respectively.

Respondent No. 2 -Chandigarh Housing Board advertised some flats under MIG Category in Sector 38-West, Chandigarh, and a Flat No. 5264 (GF), MIG, Sector 38, Chandigarh was allotted in favour of petitioner No. 1-Vipan Kumar vide allotment letter dated 07.01.2020

It is averred that the private respondent Nos. 6 to 8 raised unauthorized construction in the Society of MIG Category of 38 West, Chandigarh, thereby losing the privacy, natural sunlight and air ventilation of the petitioners. Aggrieved by the same, the petitioners gave a complaint to respondent No. 2 – Chandigarh Housing Board, Chandigarh. The petitioners also sent a Legal Notice dated 12.0.3.2020 (**Annexure P-13**) to the Chairman, Chandigarh Housing Board, Chandigarh, to get the illegal unauthorized construction done by the private respondents.

No action has been taken by the official respondents till date, hence the present petition.

After arguing for some time, counsel for the petitioner prays for permission to withdraw the present petition with liberty to seek alternative remedy in accordance with law.

Dismissed as withdrawn with the liberty, as prayed for.

(JASWANT SINGH)
JUDGE

September 30, 2020
'dk kamra'

(SANT PARKASH)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>