

Manjit Singh

.....Petitioner

Versus

Additional Deputy Commissioner-cum-Additional District Magistrate, SAS
Nagar and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent: Mr. Virendra Pratap Singh, Advocate,
for the petitioner.

Mr. Sandeep, Addl. Advocate General, Punjab.

Mr. S.K. Rattan, Advocate,
for respondent Nos.2 and 3.**RAJBIR SEHRAWAT, J. (ORAL)**

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of Certiorari for quashing the order dated 02.12.2015 (Annexure P-2) passed by respondent No.1, whereby the application filed by the petitioner has been dismissed, with certain other prayers made in the present petition.

The counsel for the petitioner submits that instead of seeking eviction of respondent Nos.2 and 3, the petitioner would be satisfied if he is granted accommodation on the ground floor of the house. Although at present the wife of the petitioner is residing with the one of the respondents-sons, however he has no objection even if the wife of the petitioner is made to reside at the ground floor. The sons and their family members can be accommodated at the upper floors of the house.

The counsel for respondent Nos.2 and 3 has no objection to the proposal made by the petitioner.

In view of the above, the respondent Nos.2 and 3 are directed to provide the ground floor of the house to the petitioner. The wife of the petitioner can also reside at the ground floor, if she so desires. The respondents-sons or their family members would not create any hindrance in smooth use and occupation of the ground floor by the petitioner and his wife.

Beside the above, the respondents-sons shall keep on providing the food, clothing and for the medicines required for health issues of the petitioner and his wife.

Subject to the above said conditions, the impugned order is modified and the respondents-sons of the petitioner would be permitted to occupy the upper floors of the house by their mutual settlements and adjustments.

The petitioner shall also not create any un-necessary problems for his sons.

With the above said directions, the present petition is disposed of.

The pending miscellaneous application, if any, is also disposed of as such.

(RAJBIR SEHRAWAT)
JUDGE

01.09.2022
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No