

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

228

CWP No.5611 of 2020
Date of decision: 06.11.2023

Karamwati

....Petitioner

V/s

The UT of Chandigarh and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Vikas Gupta, Advocate for the petitioner.
Mr. L.S. Virk, Advocate, for respondents No.1 and 2.
Mr. Navneet Jindal, Advocate, for respondent No.3.

ARUN PALLI, J. (Oral)

Written statement filed on behalf of respondent No.3 in Court today is taken on record.

The petitioner herein has prayed for the following substantive relief:-

“Civil writ petition under Article 226 of the Constitution of India with a humble prayer for appropriate writ, order or direction to the respondents to allotment of flat be made to petitioner in terms of Scheme namely The Chandigarh Small Flats Scheme 2006 (Annexure P-3). The Chandigarh Small Flats Scheme 2006 (Annexure P-3) may kindly be relaxed as a one time measure for consideration of case of petitioner.”

Learned counsel for the respondents No.1 and 2 submits that prior to the institution of the present petition by the petitioner, he had served the authorities with a legal notice dated 19.11.2019 (Annexure P-9), which is

still pending consideration. Accordingly, he submits that let this petition be disposed of at this stage to enable the authority to deal with the grievances/concerns raised by the petitioner and pass appropriate orders, in accordance with law. He submits that if necessary, before any such order is passed, the petitioner shall also be afforded an opportunity of hearing..

Mr. Navneet Jindal, Advocate, appearing for respondent No.3 submits that since respondent No.3 is only a nodal agency, respondents No.1 and 2 are the contesting respondents, therefore, the claim of the petitioner is to be decided by them.

Learned counsel for the petitioner is agreeable to the course suggested by the learned counsel for the respondents No.1 and 2 and submits that let this petition be disposed of in terms of the statement made by learned counsel for the respondents.

Accordingly, this petition is disposed of in terms of the statement made by learned counsel for the parties. This Court is sanguine that the competent authority shall look into the grievances/concerns of the petitioner in the right earnest and pass appropriate orders. As undertaken by learned counsel for the respondents, the necessary orders shall be passed within a period of three months from today. Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

November 06, 2023