

**209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-11958-2019

Date of decision : 20.03.2023

Jag Narayan

...Petitioner

Vs.

**The Administrator, U.T.Chandigarh
Administration, Chandigarh and others**

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Satnam Singh, Advocate for the petitioner.
Mr. Ashish Rawal, Advocate for the respondents.

MANOJ BAJAJ, J.

Petitioner has preferred this writ petition to challenge the order dated 05.03.2019 (Annexure P-3) passed by Advisor to the Administrator, U.T.Chandigarh, thereby upholding the order dated 30.08.2016 passed by Appellate Authority-cum-CEO, Housing Board, Chandigarh, holding the petitioner's appeal against the decision dated 16.03.2015 whereby the Permanent Lok Adalat (Public Utility Services), U.T. Chandigarh dismissed his claim, as not maintainable.

During the course of hearing, learned counsel for the petitioner does not dispute this fact that previously the petitioner through CWP-20119-2015 had challenged the order dated 16.03.2015 (Annexure P-1) passed by Permanent Lok Adalat (Public Utility Services), Chandigarh, whereby his claim for allotment of alternative site under Small Flats Scheme of 2006 against his Jhuggi No.624-K, Industrial Area Labour Colony No.4, Chandigarh was dismissed, and vide order dated 21.09.2015 the decision dated 16.03.2015

was maintained on merits. According to the learned counsel, in terms of the liberty granted by the writ court, he had preferred an appeal and revision before respondent Nos.3 and 1, respectively, but since the same have also been dismissed, therefore, the petitioner has approached this Court again.

Upon hearing the learned counsel, it becomes clear that the only remedy against the decision dated 16.03.2015, which could be availed by the petitioner was the writ jurisdiction and having availed that unsuccessfully, the subsequent remedies of appeal and revision could not have been availed by him in the absence of any statutory provisions. Therefore, the decisions dated 30.08.2016 and 05.03.2019 passed by the appellate authority as well as the revisional authority do not warrant interference. Further, as the decision dated 16.03.2015 passed by Permanent Lok Adalat (Public Utility Services), U.T.Chandigarh stands upheld on merits by writ Court vide decision dated 21.09.2015, therefore, this Court is not inclined to exercise the extraordinary writ jurisdiction.

Dismissed.

(MANOJ BAJAJ)
JUDGE

20.03.2023

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No