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

CWP-15705-2023

Date of decision: 25.07.2023

Dinesh Kumar

...Petitioner

Versus

Union Territory, Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Lakhwinder S. Sidhu, Advocate for the petitioner.

Mr. Lokesh Chander Aggarwal, Sr. Standing Counsel and
Mr. Deepak Malhotra, Standing Counsel
for UT Chandigarh/respondent Nos.1 to 6.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226 of the Constitution of India for issuance of appropriate writ, orders or directions, especially a writ in the nature of mandamus directing the respondents to repair/replace the roof of House No.2184, Sector 27-C, Chandigarh {(Type 10 (old)/IV (New)} which has been allotted to the petitioner vide allotment order No.805 dated 16.06.2022 (Annexure P-3).

2. Learned counsel for the petitioner has submitted that on account of recent rains, upper layer of the roof of the house has fallen and it is very precarious to live in the house in question as the entire roof can fall at any time and thus, there is imminent danger to the life of the petitioner and his family members. It is thus, prayed that respondent No.2 be directed to consider the averments made in the present writ petition by

treating it as a representation and in case, the averments made by the petitioner are found to be meritorious then to take appropriate decision, in accordance with law, as expeditiously as possible.

3. Learned counsel for respondent Nos.1 to 6 has submitted that the Government authority would consider the present writ petition by treating the same as a representation and would take appropriate decision on the same, as expeditiously as possible.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the competent authority/Government authority to consider the averments made in the present writ petition by treating the same as a representation within a period of two weeks from today and in case, the averments made by the petitioner in the present writ petition are found to be meritorious then to take appropriate action in accordance with law as expeditiously as possible and in case, the competent authority/Government authority is of the opinion that the averments made by the petitioner are not found to be meritorious then a speaking order rejecting the same be passed within a period of two weeks from the date of receipt of certified copy of the present order.

5. This Court has not opined on the merits of the case and the Government authority/competent authority would consider the case of the petitioner independently and in accordance with law.

25.07.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**