

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

(130)

CWP-17108-2023

Decided on : 07.08.2023

Anoop Singh and others

.....Petitioner(s)

Versus

Chandigarh Administration and others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MS.JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Jaspal Singh Maanipur, Advocate
Mr. Joy Preet Meelu, Advocate and
Ms. Harpreet Kaur, Advocate for the petitioner (s).

G.S. Sandhawalia, J. (Oral)

The petitioners in the present writ petition filed under Article 226/227 of the Constitution of India seek directions for considering the claim for increase in Floor Area Ratio (FAR) under Chandigarh Building Rules (Urban), 2017 from 0.60 FAR to 1.00 FAR.

2. The case of the petitioners who are five in number is that they are allottees of Saw Mill site and reference has been made to one allotment letter dated 30.09.1991 (Annexure P-1). It is their case that they are lessees in pursuance of the said allotment letter and reference has been made to residential premises and also for industrial purposes also including conversions of shop-cum-flats to shop-cum-offices, wherein the benefit has been granted. Reference has also been made to the notification dated 25.02.2019 regarding properties located in Industrial Area, Phase-I and Phase-II, Chandigarh.

3. Counsel for the petitioner has submitted that representation dated 05.04.2023 (Annexure P-2) has already been served upon the respondents and they would be satisfied if a decision is taken on the same in the fixed time frame.

4. Notice of motion.
5. Mr. Aman Bahri, Advocate and Ms. Amrita Garg, Advocate accept notice on behalf of the respondent-U.T. Chandigarh. It has been brought to our notice that some of the petitioners as such have committed various violations, for which show cause notices have been issued.
6. Keeping in view the above since the decision making is incomplete, we are of the considered opinion that no useful purpose would be served to call upon the respondents for filing reply. The competent authority shall take a decision on the representation of the petitioners, irrespective of the fact that proceedings are pending which shall carry on in accordance with law, since the prayer made herein is in the form of policy change and the benefit claimed as such is on account of the fact that other type of properties had been granted the said change.
7. Resultantly, the present writ petition is disposed of with the directions to the respondents to take a decision on the said representation (Annexure P-2) within a period of 3 months from the receipt of certified copy of this order.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

07.08.2023

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Whether speaking/reasoned :	Yes	
Whether Reportable :		No