

RSA-2243-2001

**LUDHIANA IMPROVEMENT TRUST, LUDHIANA, THROUGH ITS
CHAIRMAN V/S AMRIK SINGH THROUGH HIS LRS.**

Present:- Mr. Sandeep Khunger, Advocate
for the appellant.

Mr. Sunil Chadha, Sr. Advocate with
Ms. Sonia, Advocate
for the respondent.

The appellate Court, when reversing the order passed by the trial Court
has clearly stated as under:-

*“I accept the appeal with costs and suit of the plaintiff is
decreed and the defendants are restrained to resume flat allotted to
him except in due course of law, if they are of the opinion that the
allotment in favour of the plaintiff is illegal, then they should adopt
the legal procedure to resume the flat.”*

There is nothing on record to say whether the allotment was cancelled or
not. When we asked Mr. Sandeep Khunger, Advocate, he failed to show us any
cancellation order. Faced with this situation, he says that, the appeal may be
disposed of, giving liberty to the appellant to take action as per law to resume the
flat, if needed, as already stated in the order under challenge. We are happy to note
that a very fair stand has been taken by counsel for the appellant, which definitely
will help the Improvement Trust to take action as per law.

Ordered accordingly.

Appeal stands disposed of.

**(JASBIR SINGH)
PRESIDENT**

**(B.C. GUPTA)
MEMBER**