



CWP-16835-2024

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

CWP-16835-2024**Date of decision: 22.07.2024**

Jagdish Chander Mehta

....Petitioner

Versus

Chandigarh Administration and another

....Respondents

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

Present: Mr. Sanjay Kaushal, Senior Advocate, with
Mr. A.P. Setia, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

A Certiorari is prayed for, to quash the notice dated 15.06.2012 (P-6), issued by the Estate Officer, U.T., Chandigarh, vide which, the petitioner was afforded 15 days' time to show cause, as to why proceedings under Rules 10 and 14 of the Chandigarh Estate Rules, 2007, read with Section 8-A of the Capital of Punjab (Development and Regulation) Act, 1952, be not initiated with respect to House No. 108, Sector 23-A, Chandigarh.

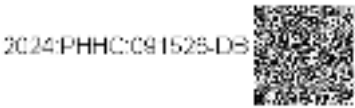
Concededly, the petitioner was also afforded a personal hearing on 17.08.2012, but he chose not to appear before the competent authority. Whereafter, the matter was repeatedly adjourned, but for the reasons best known to the petitioner, he did not participate in the proceedings.



However, learned Senior counsel for the petitioner submits that no final order has been passed yet. Further, he submits that on 26.09.2017 (P-12), the respondent-Administration had sanctioned the revised building plan, which would also have a decisive bearing on the matter in issue. It is urged that prior to the institution of this petition, the petitioner had even served respondent No.2 with a legal notice dated 01.04.2024 (P-15), but to no avail.

Served with the advance copy of the petition, Mr. Amit Jhanji, learned Senior Standing Counsel, assisted by Mr. Rakesh Sobti, Advocate, for the respondent-Chandigarh Administration, is present in Court. At the outset, he, on instructions, submits that as the competent authority (Sub-Divisional-Magistrate-cum-Estate Officer, Chandigarh) is in seisin of the concerns/grievances of the petitioner, it would be expedient if the petition is disposed of, at this stage, to enable the authorities to deal therewith, and pass necessary orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioner shall also be heard. And, in this regard, the petitioner or his authorized representative(s) may appear before the competent authority on 23.07.2024 at 3:30 PM.

Learned Senior counsel for the petitioner is agreeable to the course suggested by learned Senior Standing counsel for the respondent-Administration, and submits that let this petition be disposed of, in terms of the statement made by him.



In the wake of the position sketched out above, and in terms of the statements made by learned counsel for the parties, the petition is accordingly disposed of.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders, assigning reasons in support thereof, shall be passed. at the earliest.

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 concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

22.07.2024
Ak Sharma

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No