

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

**101+209**

**CWP-21417-2020 (O&M)**  
Date of Decision: 12.02.2024

TARSEM KUMAR KANSAL AND ORS

..... Petitioners

VS.

ESTATE OFFICE AND ORS

.... Respondents

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present: Mr. Harsh Aggarwal, Advocate for the petitioners.

Mr. Ravi Kamal Gupta, Additional Standing counsel  
for UT., Chandigarh-respondents.

\*\*\*

**SUVIR SEHGAL, J. (ORAL)**

**CM-1827-CWP-2024**

1. For the reasons given in the application, it is allowed.
2. Legal representatives of deceased petitioner No.2 are impleaded as party in place of the deceased.
3. Amended memo of parties is taken on record.

**Main case**

4. By way of present petition filed under Article 226/227 of the Constitution of India, petitioners have approached this Court *inter alia* for issuance of a writ in the nature of certiorari quashing impugned letter dated 03.03.2020, Annexure P-4. Another prayer has been made for issuance of writ in the nature of mandamus directing the respondents to execute the lease deed in terms of allotment letter dated 18.03.1997, Annexure P-1.

5. Upon notice, respondents have filed a reply wherein it has been *inter alia* submitted as under:-

"4. Firstly, it is submitted that under Section 18 (sic. Rule 18) of the Chandigarh Estate Rules, 2007, the present petition is not maintainable. That the petitioner is aggrieved by Annexure P-4, which has been passed by the Estate Office. It is submitted that a person aggrieved with the orders of the Estate Officer, may appeal to the Chief Administrator and thereafter, the Adviser to the Administrator, Union Territory, Chandigarh."

6. In view of the fact that there is an alternate remedy available to the petitioners to file an appeal, petition is dismissed.

7. Liberty is granted to the petitioners to avail the remedy under the relevant provision.

8. Liberty is also granted to the petitioners to take the benefit of the pendency of the writ petition before this Court.

12.02.2024  
pooja saini

(SUVIR SEHGAL)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |