



CWP-29483-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-29483-2024Date of decision: 29.10.2024

Manjit J.P. Singh and others

....Petitioners

Versus

U.T. Chandigarh and others

....Respondents

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

Present: Mr. Kshitij Sharma, Advocate,
for the petitioners.

ARUN PALLI, J. (Oral)

The petitioners have prayed for the following substantive relief:-

“Civil Writ Petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari/mandamus or for passing any other order/direction, for quashing of order dated 21.05.2018 (Annexure P-9), order dated 19.07.2019 (Annexure P-10) and order dated 14.11.2019 (Annexure P-11), whereby the applicants filed by the petitioner No.1 for transfer of ownership in House No.1125, Sector 36-C, Chandigarh in the name of petitioner no.1 and 2 were rejected, because the rejection orders do not take into account the affidavits dated 09.01.2019 & 20.08.2019 by the petitioners no.3 to 5 (Annexure P-14 to Annexure P-15 B), whereby the only other legal heirs i.e Petitioner No.3 (Amreena Singh) and Petitioners No.4 (Smt. Jasbir Kang) and No.5 (Smt. Manmohan Kaur) have relinquished their share in favour of the petitioner no.1 to 2



And/or

Further issue a writ of mandamus or any other appropriate writ, order or direction to the Respondents to effectuate the transfer of ownership of House No.1125, Sector 36-C, Chandigarh in favour of Petitioner No.1 (Manjit J.P. Singh) and Petitioner No.2 (Tanveer Singh) based on the registered will dated 02.02.2005 (Annexure P-7) executed by Smt. Balbir Kaur, and in light of the affidavits dated 09.01.2019 & 20.08.2019, by the petitioners no.3 to 5 (Annexure P-14 to Annexure P-15 B)."

Learned counsel for the petitioners submits that prior to the institution of this petition, the petitioners had even served the Estate Officer, U.T, Chandigarh, (respondent No.3), with a legal notice dated 03.09.2024 (P-12), as regards their concerns/grievances. However, a considerable time has elapsed, but the matter has not made any tangible progress. Thus, this petition.

Served with the advance copy of the petition, Mr. Parminder Singh Kanwar, Additional Standing counsel, for the respondent-U.T., Chandigarh, is present in Court. At the outset, he submits, for the competent authority is already in seisin of the concerns/grievances of the petitioners, it would rather be expedient if the petition is disposed of, at this stage, to enable the respondent authorities to consider and pass necessary orders on the legal notice (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, the petitioners shall be heard, for which, a formal communication shall be issued to them, well in advance.

Learned counsel for the petitioners is in agreement with the course suggested by learned counsel for the respondents, and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the authorities be directed to do the needful within a specified time.

In response, learned counsel for the respondents submits that appropriate orders shall be passed within a period of four weeks from today.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

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 within the time indicated by the learned counsel for the respondents.

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 petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

29.10.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No