

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No.3735 of 2024 (O&M)  
Date of Decision :18.03.2024

**Shiv Kumar**

**.....Petitioner**

**Versus**

**Union Territory Chandigarh and others**

**..... Respondents**

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

**Present : Mr. Gursharan Singh, Advocate for the petitioner.**

**Mr. Jaivir Chandail, Advocate for respondents.**

**ARUN PALLI, J. (Oral):**

The petitioner has prayed for the following substantive relief:-

“Civil Writ Petition under Article 226 of the Constitution of India for issuance writ of mandamus, certiorari or any other appropriate writ or direction be issued setting aside the orders dated 12.03.2021 (annexure P-3) passed by respondents whereby claim for allotment of flat under Chandigarh Small Flats Scheme-2006 declared as “ineligible’ because petitioner have not produced/submitted the requisite votes for year 2007 or 2008 as well any statutory documents issued from 2007 or 2008.

And further prayer that respondents be direct to reopen the case of the petitioner under the Small Flats Scheme-2006 and flat be allotted to the petitioner”.

Served with the advance copy of the petition, Mr. Jaivir Chandail, Advocate, is present in Court, on behalf of the respondents.

Upon being pointedly asked, if post order dated 18.09.2019, passed by the Appellate Authority, whereby the matter was remitted to the Estate Officer for decision afresh, the dispute was re-decided, it is urged that vide communication dated 12.03.2021 (P3), the petitioner was declared

ineligible, per the criteria, set out in the Chandigarh Small Flats Scheme 2006. However, he submits that a detailed/formal order in this regard is yet to be passed. It is submitted that the necessary orders, in accordance with law, shall be passed, within four weeks from today and conveyed to the petitioner. And the order passed by the competent authority, if the occasion so arises, would be assailed under clause 17 of the scheme (ibid) before the Appellate Authority.

That being so, learned counsel for the petitioner submits that nothing substantive survives in this petition and the same be disposed of in terms of the statement made by learned counsel for the respondents.

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

(ARUN PALLI)  
JUDGE

(VIKRAM AGGARWAL)  
JUDGE

18.03.2024  
Manoj Bhutani

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |