



CWP-31681-2025

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

(128)

CWP-31681-2025

Date of decision:- 04.11.2025

Inder Kaur

... Petitioner

Versus

U.T. Administration and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Jagdish Manchanda, Senior Advocate with
Mr. Inder Pal Singh, Advocate,
Mr. Nischal Chetanya Manchanda, Advocate and
Mr. Saksham Kaushik, Advocate
for the petitioner.

Mr. Indresh Goel, Advocate for respondent No.2.

SUVIR SEHGAL, J. (ORAL)

1. Instant writ petition has been filed *inter-alia* for issuance of a writ, in the nature of certiorari, for quashing order dated 10.10.2025, Annexure P-21, passed by the Permanent Lok Adalat (Public Utility Services), Union Territory, Chandigarh (for short "Lok Adalat"). Petitioner has also laid challenged to show cause notice dated 09.10.2024, Annexure P-7, issued by the Chandigarh Housing Board.

2. Learned senior counsel for the petitioner submits that the petitioner is the owner of House No.2118, Sector 45-C, Chandigarh, which was allotted to her late husband in the year 1983. It was subsequently converted into a freehold property. Counsel states that a notice dated 12.03.2008, Annexure P-3, was served by Chandigarh Housing Board (CHB) under Section 15 of the

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Capital of Punjab (Development and Regulation) Act, 1952 (for short “Act of 1952”) alleging that petitioner had made unauthorized construction. Counsel submits that these violations were in existence since the year 2008. He has made a reference to an office order dated 01.01.2016, Annexure P-4, whereby CHB decided that no new/fresh notices are to be issued for any existing violations and action is to be taken only in case of fresh violations or encroachments on government land. He submits that thereafter the proceedings initiated against the petitioner were kept in abeyance. However, on 14.03.2023, Annexure P-5, a fresh notice has been issued by making a reference to the earlier notice. Counsel asserts that the petitioner appeared before the competent authority and brought all the facts to its notice. However, proceedings for alleged violation continued and impugned show cause notice dated 09.10.2024, Annexure P-7, was issued. Counsel submits that this action was questioned by the petitioner before Lok Adalat, which has culminated in the passing of impugned award dated 10.10.2025, Annexure P-21, whereby while dismissing the petition, Lok Adalat has directed the competent authority to proceed further in accordance with law and has also directed that in case of any resistance, police help be taken.

3. Advance copy of the petition has been served upon the respondents.
4. Mr. Indresh Goel, Advocate has put in appearance on behalf of respondent No.2. He has instructions to state that the proceedings before competent authority were stayed by the Lok Adalat and after passing of the impugned order, proceedings are yet to commence.
5. In view of the above, competent authority is directed to re-

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commence the proceedings initiated by virtue of notice, Annexure P-5, and conclude them as expeditiously as possible after considering all the issues raised by the petitioner in the instant writ petition as well as in the response filed before the competent authority. Till the time proceedings are concluded by the competent authority, no coercive action shall be taken against the petitioner and the direction passed by the Lok Adalat regarding police help shall be kept in abeyance.

6. At this stage, learned senior counsel for the petitioner has requested that the petitioner was protected by the Lok Adalat and an interim order was passed to the effect that no demolition of the alleged violations/encroachment be carried out. He submits that in case an adverse order is passed against the petitioner, petitioner would have a right to challenge the same under the Act of 1952 and protection may be extended till the time the period for filing the appeal expires.

7. There is substance in the submission made by learned senior counsel for the petitioner.

8. In case, proceedings are decided against the petitioner, no coercive action shall be taken against him till the time the limitation for filing the appeal expires.

9. With the above observations, writ petition is disposed of.

04.11.2025

*Kamal***(SUVIR SEHGAL)
JUDGE**

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No