



CWP-17754-2021

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

(251)

CWP-17754-2021

Date of Decision : 12.01.2026

Gopal Dutt Joshi

...Petitioner

Versus

Union Territory, Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sandeep Singal, Advocate for
Mr. Vishvanath Sharma, Advocate
for the petitioner.

Mr. Deepak Malhotra, Addl. Standing Counsel for U.T.
Chandigarh, for respondents No.1 to 5.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant writ petition, prayer is made for quashing of orders dated 26.02.2021 and 05.05.2021 (Annexures P-8 and P-10), respectively, vide which the application dated 28.09.2020 (Annexure P-4), submitted by the petitioner for waiving of the rent of the government accommodation allotted to the petitioner, vide allotment letter dated 14.09.2020 (Annexure P-1), till completion of renovation work, was rejected.
2. Brief facts are that the petitioner was allotted government accommodation on 14.09.2020 (Annexure P-1), and the petitioner took the possession of the same on 21.09.2020 (Annexure P-2). However, the said accommodation requires renovation, and the petitioner has made an application to the department concerned for renovation within a period of two days, i.e. on 23.09.2020. The said application was marked to the Sub



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Divisional Engineer, Maintenance, Sub Division No.1, Chandigarh, on 29.09.2020, and thereafter, the renovation work of the said accommodation was carried out and admittedly, it was completed on 14.01.2021, and the petitioner took actual physical possession of the allotted accommodation only thereafter.

3. So far as the factum regarding renovation work being carried out and the same being completed on 14.01.2021, is not disputed before this Court, rather it has been categorically admitted by filing a written statement by the respondent/department concerned. The only ground taken in the written statement before this Court is that there are no rules through which, rent can be waived of for such period.

4. Earlier, this Court in CWP-26033-2021, titled '*Shweta versus The Registrar Punjab and Haryana High Court and others*' decided on 29.10.2025, has passed *mandamus* upon the respondents, to re-examine the entire issue afresh, after giving due opportunity of hearing to the parties concerned, wherein the similar issue was cropped up. The relevant is extracted hereinafter :-

“3. Learned counsel for the respondent-U.T. Chandigarh, has fairly submitted that when the house, in question, was allotted to the petitioner, it required major repair work, and for the said purpose, the petitioner had to earlier approach this Court, for getting the work completed. He further submits that the repair work of the house, in question, was completed on 30.08.2021, and only thereafter, the petitioner took the possession of the house, on 03.09.2021.

4. In view of the factual aspect of the matter, this Court is of the considered opinion that the act of respondent/U.T. Chandigarh, to deduct the House Rent Allowance, for the



period, the petitioner did not occupy the house, in question, requires re-consideration.

*5. In view of the above, the instant writ petition is **disposed of**, with a mandamus, upon the respondent No.1, to re-examine the entire issue afresh, after giving due opportunity of hearing to the parties concerned, and thereupon, take a final decision by passing a speaking order. This exercise shall be carried out within a period of six weeks from the date of receipt of certified copy of this order.”*

5. This Court finds that the ground taken in the response filed by the respondent/department, in the instant writ petition, is totally erroneous and the same cannot be accepted. The respondent/department is required to hand over the allotted accommodation after completion of entire renovation work. However, in the instant case, the renovation work was carried out after allotment of the house, and it was completed only on 14.01.2021. The petitioner could enter in the house only after 14.01.2021, therefore, the respondent/department cannot charge the rent for the period w.e.f. 14.09.2020 till 14.01.2021, and the same is ordered to be **waived of**.

6. Consequently, the instant writ petition is **disposed of**.

(KULDEEP TIWARI)
JUDGE

January 12, 2026
Manpreet

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