

No. CHB/AO-C/2023/

Dated

To

SH. ARJUN KUMAR/ Occupant,
Small Flat no.6633-A, Sector-56,
Chandigarh

Subject: - Cancellation order of allotment of Flat No.6633-A, Small Flats, Sector-56, Chandigarh under the Chandigarh Small Flat Scheme-2006

1. The Chandigarh Administration has floated 'The Chandigarh Small Flat Scheme-2006' vide notification No. 11/06/06-UTFI(2)-2006/6813 dated 06.11.2006 for providing living space which is hygienic, safe carrying basic amenities for the rehabilitation of Slum Dwellers.

2. On the recommendations of Screening Committee, Estate Office, U.T., Chandigarh, Small Flat No.6633-A, Sector-56, Chandigarh is allotted to Sh. Arjun Kumar S/o Sh. Mathura Dass & Smt. Sonia D/o Sh. Janeshwar vide this office allotment No. CHB/CHFS/2006/657 dated 20.07.2007 on license basis for a period of 20 years.

3. As per Clause 10 of Deed of License, the licensees shall abide by the term and conditions of Deed of License and Chandigarh Small Flats Scheme 2006 and shall also abide by the provision of the Capital of Punjab (Development & Regulation) Act, 1952.

A general survey was conducted for verifying the original allottees whether they were residing in their allotted small flats of various sectors/colonies under the Chandigarh Small Flats Scheme 2006.

On the basis of above, the survey of small Flat No. 6633-A, Sector-56, Chandigarh was carried out and it was found that **other person** i.e. unknown person was occupying/residing in the flat unauthorizedly.

4. The clause no. 4 & 5 of the deed of license states as under:-

"The flat shall be used exclusively for residential purpose and for no other purpose".

"The Licensee shall not sublet, assign by way of General Power of Attorney or otherwise part with possession of the flat".

5. The allottee/ occupant was given show cause notice vide letter no.10331 dated 21.06.2023 and provided an opportunity of being heard on 27.06.2023 at 09.30 A.M to show cause in writing as to why the license of allotment of Flat no.6633-A, Sector-56, Chandigarh may not be cancelled and amount paid be forfeited as per the terms and conditions of allotment letter.

6. Smt. Archana (Purchaser) was appeared in personal hearing on 27.06.2023. As per survey record Arvind Rao was found at the time of survey. Smt. Archana stated that she has purchased the above said DU from the allottee Sh. Arjun Kumar. Smt. Archana stated that Sh. Arvind Rao is her tenant and he is paying Rs. 3500/- rent. She also submitted copy of GPA and agreement to sell. Further, as per record Rs. 86,000/- is also outstanding against licensee as on that date.

7. As per Chandigarh Small Flat Scheme, 2006 that definition of family has been given on Rule 3(c) which states that:

"(c) "Family means a family consisting of a person, his or her spouse, children and parents residing with him and it Includes earning sons and daughters. Married and earning son above the age of eighteen, shall be considered as a separate family unit provided that such a person was living in a separate habitation as identified during the Bio Metric Survey"

The allottee parted with the possession of the flat by selling the above said DU illegally. Rule 15 of the CSFS, 2006 states that:

"15. The allotment of the flat shall stand automatically revoked in the event of contravention of any of the terms and conditions of the scheme."

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CHB/1964
Dated 06/09/2023

8. In view of above facts and rules position, the allottee/occupant has violated the terms and conditions of Deed of License prescribed under the Chandigarh Small Flats Scheme-2006. Hence, the allotment of small Flat no.6633-A, Sector-56, Chandigarh is hereby cancelled. The allottee/occupant is advised to hand over the physical possession to the Chief Engineer, CHB within 30 days from the issue of this order failing which you shall be evicted from the flat as per law.

AKM/31/08/23
Secretary-cum-Competent Authority
Under the Chandigarh Small flats Scheme-2006
Chandigarh Housing Board
Chandigarh
Dated 05/09/2023

Endst. No. 14473

A Copy is forwarded to the followings for information and necessary action:-

1. The Chief Engineer, CHB, Chandigarh.
2. The Enforcement Officer, CHB with a request to initiate the eviction proceedings w.r.t. Flat No.6633-A, Sector-56, Chandigarh, if allottee/occupant fails to handover/vacate the physical possession of small flat within prescribed time i.e. 30 days.
3. PA to Secretary, CHB for kind information.
4. The Chief Account Officer, CHB for information and further necessary action.
5. The Computer Incharge, CHB, Chandigarh.

AKM/31/08/23
Secretary-cum-Competent Authority
Under the Chandigarh Small flats Scheme-2006
Chandigarh Housing Board
Chandigarh

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