

No. CHB/AO-C/2023/

Dated

To

SH. PYARE LAL/ Occupant,
Small Flat no.6629-B, Sector-56,
Chandigarh

Subject: - Cancellation order of allotment of Flat No.6629-B, 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. 11/06/106-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.6629-B, Sector-56, Chandigarh is allotted to Sh. Pyare Lal S/o Late Mani Ram vide this office allotment No. CHB/CHFS/2006/207 dated 18.11.2006 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 & 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.

4. 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. 6629-B, Sector-56, Chandigarh was carried out and it was found that other person i.e. Sh. Kuldeep 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.11710 dated 13.07.2023 and provided an opportunity of being heard on 18.07.2023 at 09.30 A.M. to show cause in writing as to why the license of allotment of Flat no.6629-B, Sector-56, Chandigarh may not be cancelled and amount paid be forfeited as per the terms and conditions of allotment letter.

6. Sh. Ram Babu claiming himself son of allottee, appeared in personal hearing on 18.07.2023. Sh. Ram Babu stated that Sh. Kuldeep is his son. He was directed to pay all outstanding dues immediately and apply for transfer of above said dwelling unit. Further, as per record Rs.10,800/- is also outstanding against licensee as on that date. Further, Sh. Ram Babu has applied for transfer of license of Small Flat No.6629-B, Sector 56, Chandigarh vide diary No.78071 dt. 10.10.2023 and in reference, he was called for personal hearing on 08.11.2023 for verification of his documents.

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Sh. Ram Babu appeared in personal hearing on 08.11.2023, it has been revealed from the documents of the Police Department available in the record that deceased allottee Sh. Pyare Lal has no legal heir and Sh. Ram Babu son of Sh. Shri Ram was residing in the said flat as tenant. Earlier on 18.07.2023 Sh. Ram Babu stated that he is son of Sh. Pyare Lal and on 08.11.2023 Sh. Ram Babu stated that Sh. Pyare Lal is not his father and he wants to withdraw his application submitted for transfer of small flat in his name.

7. In view of the death of the allottee Sh. Pyare Lal, Sh. Ram Babu has unauthorizedly occupied the small flat. As per Clause 5 of the Deed of License stated that:

"The licensees shall not sublet, assign by way of GPA or otherwise part with possession of the flat"

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."

8. In view of above facts and rules position, the allottee/occupant has violated the terms & conditions of Deed of License prescribed under the Chandigarh Small Flats Scheme-2006 and in view of the request/submission of applicant Sh. Ram Babu during personal hearing on 08.11.2023, the application submitted by him treated as withdrawn and the allotment of small Flat no.6629-B, 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
04/12/23
Secretary-cum-Competent Authority
Under the Chandigarh Small flats Scheme-2006
Chandigarh Housing Board
Chandigarh
Dated *07/12/2023*

Endst. No.

19342

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.6629-B, 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
04/12/23
Secretary-cum-Competent Authority
Under the Chandigarh Small flats Scheme-2006
Chandigarh Housing Board
Chandigarh

CI/CHEV 26/10
Dated 08/12/2023

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