

No.CHB/EO/ Dy.E.O. II/2025/

Dated:

**RESUMPTION ORDER**

1. Whereas, the DU No. 3495, Sector 46, Chandigarh was allotted to Sh. Balwant Rai Mehra S/o Sh. Chunni Lal on the terms and conditions stipulated in the allotment letter No. 387, dated 08.03.1982, Registration No. 6473. After that, Conveyance deed has been executed by sub registrar UT Chandigarh vide serial no. 3647, Book no. 1, Volume No. 172, Dated 07.10.2008. Further, transferred in the name of Sh. Lakhmir Singh S/o Sh. Balwant Singh vide no. 8400 dated 22.04.2009, Again, transferred in the name of Sh. Harjinder Singh S/o Sh. Lakhmir Singh vide no. 4004 dated 04.06.2019.
2. And whereas, as per the condition of the allotment letter, the dwelling unit could be used for the purpose of residence only and not for any other purpose. No additions/alterations could be made therein without prior approval of the Board in writing.
3. And whereas, it had come to the Notice of the Board that the following violations have been made in the dwelling unit:
  - i. Room constructed in back courtyard.
  - ii. Room/Kitchen constructed at 1<sup>st</sup> floor in terrace area.
  - iii. Room constructed at 2<sup>nd</sup> floor in terrace area.
  - iv. Room/Kitchen constructed at 2<sup>nd</sup> floor above illegally constructed terrace area room/kitchen of 1<sup>st</sup> floor.
  - v. Chajja with railing constructed on 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> floor level.
  - vi. Mumty/Toilet constructed on 3<sup>rd</sup> floor.
4. And whereas, it is clear that the allottee/occupant had acted in contravention to the provisions contained in clause 15 of allotment letter and also the provision of Regulation 8-A Capital of Punjab (Development and Regulation) Act, 1952.
5. And whereas, a Show Cause Notice No. CHB/EO./DY.EO-II/2024/1911103 dated 01.01.2025 was served on the allottee/occupant vide which he had been called upon to show cause in writing/personal hearing on 20.01.2025 at 10:00 AM as to why the Registration and Allotment/Tenancy of D/Unit No. 3495, Sector 46, Chandigarh be not cancelled/resumed and amount forfeited as per terms of the Allotment letter and further action to evict him from the dwelling unit by following the procedure prescribed under rules as framed under Chapter VI of Haryana Housing Board act 1971 etc., as extended to UT of Chandigarh.
6. And whereas he did not remove the violations/encroachments despite having been given three opportunities of hearings till 28.03.2025 for removing the said encroachments/ violations. The details of various SCN and Hearing notices were given to the allottee/occupant as shown in tabular form given below (in days):-

Sr. No.	SCN/Hearing Notice No.	Dated	Time given (No. of days)	Proceedings
1.	1911103	01.01.2025	86	Allottee was present
2.	82	13.02.2025	43	Allottee was present and directed to remove all violations in one month
3.	137	19.03.2025	9	Allottee was present and EO was directed to put up draft resumption order.

7. And whereas, an inspection was carried out on 26.03.2025 by the Enforcement Wing and it has been reported that none of the above building violations/encroachment have been removed from the said dwelling unit.
8. And whereas, in the proceedings dated 28.03.2025, the allottee appeared. It was stated on 28.03.2025 that

*"Sh. Harjinder Singh on 20.01.2025 had stated that he will remove the violations within one month but he did not remove the violations. On 24.02.2025 Sh. Harjinder Singh, owner again stated that he will remove the violations within one month and submit status report alongwith photographs.*

He did not remove the violations despite giving assurance on last two hearings. He was asked today to submit a notarized affidavit to remove the violations but he stated that he will give it on next date of hearing and he is not willing to remove the violations.

Dy.EO stated that in view of Residents Welfare Association Vs. Union Territory of Chandigarh and others judgement dated 10.01.2023 the Hon'ble Supreme Court has frozen the FAR. Hence the clause-22 of NBC dated 03.01.2023 cannot be implemented as the above violations is related to additional FAR. DY.EO also stated that violation no. 6 also violated CBR-2017.

In view of the above, It seems that the owner has no intention to remove the violations mentioned in the SCN dated 01.01.2025. The undersigned has no other option left except to resume the allotment of DU no. 3495, Sector 46-C, Chandigarh. Accordingly, the allotment of DU No. 3495, Sector 46-C, Chandigarh is hereby resumed. The EO was directed to put up draft resumption order".

9. Now, therefore, in view of the above facts & circumstances, the undersigned is left with no option but to resume the registration/ allotment of D.U. No. 3495, Sector 46-C, Chandigarh. The amount deposited by the allottee stands forfeited in terms of the provisions of the allotment letter on account of breach of terms and conditions of the allotment letter and also the provision of Regulation 8-A Capital of Punjab (Development and Regulation) Act, 1952.
10. The allottee/occupant is further advised to hand over the possession of dwelling unit in question to the Chief Engineer, Chandigarh Housing Board, Chandigarh within 30 days from the date of issue of this order failing which eviction proceedings shall be initiated against the allottee for eviction from the said premises from the un-authorized possession.

*AKM*  
*07/05/25*  
(Akhil Kumar, DANICS)  
Secretary-cum-Estate Officer,  
Chandigarh Housing Board,  
Chandigarh. *Ans*

To

1. Sh. Harjinder Singh S/o Sh. Lakhmir Singh.  
D.U. No. 3495, Sector 46, Chandigarh.
2. One copy of this order to be pasted on the entry gate of  
D.U. No. 3495, Sector 46, Chandigarh

Endst. No.CHB/E.O./Dy.E.O. II/2025/2103126

Dated: 13.05.2025

A copy is forwarded to the following for information and necessary action:-

1. The Chief Engineer, Chandigarh Housing Board, Chandigarh for necessary action in the matter. He is requested to furnish the information with regard to taking over possession of the house in question from the allottees after the termination of the period as stipulated in the cancellation order.
2. The Enforcement Officer, Chandigarh Housing Board, Chandigarh for further necessary action.
3. The Chief Accounts Officer, Chandigarh Housing Board, Chandigarh, for information and further necessary action with regard to forfeiture of amount as per condition of the allotment letter.
4. ✓ The Computer Incharge, CHB, Chandigarh.

*AKM*  
*07/05/25*  
(Akhil Kumar, DANICS)  
Secretary-cum-Estate Officer,  
Chandigarh Housing Board,  
Chandigarh. *Ans*