

CHANDIGARH HOUSING BOARD  
CHANDIGARH

No.HB-AO-II/SO-IX/SA-VI/2016/ 4527

24-6-16  
Dated:

To

Sh. Tek Chand (Legal Heir)  
S/o Sh. Banarasi Dass/Occupant  
H.No. 2189/2, Sector 45-C,  
Chandigarh.

Subject: Cancellation of allotment of Dwelling Unit No. 2189/2, Sector 45-C,  
Chandigarh. (Regn No. 4039).

Sh. Banarsi Dass S/o Sh. Shardha Ram had applied for allotment of house with Chandigarh Housing Board vide application dated 12.11.1979 and further dated 20.11.1979. In response to his application, he was issued registration No. 4039 and allotted Dwelling Unit No. 2189/2, Sector 45-C, Chandigarh vide this office allotment letter no. 3168 dated 25.4.1988. Further, on the death of Sh. Banarasi Dass on dated 26.04.1988, Smt. Bhagwati Devi applied for the transfer of above said Dwelling Unit under death case transfer policy vide application dated 31.05.1988 along with affidavit dated 01.06.1988 duly attested by the Oath Commissioner, UT, Chandigarh, declaring therein that Sh. Banarasi Dass (deceased) or his wife or any of his dependent relation/children do not own freehold or leasehold or hire purchase basis a residential plot or house in the U.T. Chandigarh or in any of the Urban Estates Mohali or Panchkula except the above house allotted by the Chandigarh Housing Board and also submitted Indemnity Bond dated 2.6.1988 duly attested by the Executive Magistrate, UT, Chandigarh. Accordingly, on her application and documents produces by her, Dwelling Unit No. 2189/2, Sector 45-C, Chandigarh was transferred in the name of Smt. Bhagwati Devi vide letter No. 10777 dated 22.9.1988.

Subsequently, Sh. Tek Chand vide his application dated 8.3.2010 had applied for transfer of D.U No. 2189/2, Sec 45-C, Chandigarh on the basis of Registered WILL dated 19.2.2007 executed by Smt. Bhagwati Devi.

In the meantime, it has come to the notice of Chandigarh Housing Board that Sh. Banarsi Dass (deceased) already owned Dwelling Unit No. 2418/1, Sector 40-C, Chandigarh allotted by the Chandigarh Housing Board vide allotment letter no. 4039 dated 16.10.1981.

Whereas, the facts were concealed by Smt. Bhagwati Devi W/o Late Sh. Banarasi Dass when she applied for the transfer of D.U No. 2189/2, Sector 45-C, Chandigarh under death case transfer policy and while accepting allotment letter No. 3168 dated 25.4.1988 in respect of D. U. No. 2189/2, Sec 45-C, Chandigarh that her deceased husband had already been allotted H. No. 2418/1, Sec 40-C,

Chandigarh and furnished a false affidavit dated 1.6.1988 and dated 5.7.1988 and got the house transferred in her name fraudulently, which is in contravention/breach of clause 16 of allotment letter w.r.t. clause 6 of provisions of Chandigarh Housing Board (Allotment, Management and Sale of Tenements) Regulations, 1979. (2189)

A show cause notice was issued to Sh. Tck Chand (legal heir) vide this office letter No. 8363 dated 13.6.2013 which was received back undelivered from H. No. 2189/2, Sec 45-C, Chandigarh with remarks "No such person". The SCN was again sent at H. No. 1553, Sec 69, Mohali. The same was again sent third time at D. U. No. 671-A, Sec 30-A, Chandigarh which was neither received back undelivered nor received any reply from the legal heir Sh. Tek Chand.

Again the letter was sent at both the addresses i.e. H. No. 2189/2, Sec 45-C, Chandigarh and H. No. 671-A, Sec 30-A, Chandigarh letters from both addresses received back undelivered with remarks from H. No. 2189/2, Sec 45-C, Chandigarh that no such person residing and tenants have no address of Sh. Tek Chand and from H. No. 671-A, Sec 30-A, Chandigarh that "House locked and neighbor said that they had left the house after retirement". No other address is available. The Show Cause Notice was pasted at the door of D. U. No. 2189/2, Sec 45-C, Chandigarh but no body attended the office.

Sh. Tek Chand S/o Sh. Banarasi Dass being the legal heir and beneficiary of WILL dated 19.2.2007 and Shri Mohan Lal Verma, Sh. Tejashvar Narain, Ms. Luxmi Rani and Ms. Bhasha Rani being legal heirs of Late Smt. Bhagwati Devi are hereby directed to appear before the undersigned within 15 days from the issue of this notice dated 28.2.2015 & 3.3.2015 published in Hindustan Times, Punjabi Tribune and Dainik Bhaskar and to show cause in writing as to why the registration and allotment of D. U. No. 2189/2, Sec 45-C, Chandigarh may not be cancelled as per the rules and the entire amount already deposited against H. No. 2189/2, Sec 45-C, Chandigarh may not be forfeited in contravention/breach of Clause 16 and Clause 20 of Allotment letter w.r.t. under Clause 6 of provisions of Chandigarh Housing Board (Allotment, Management and Sale of Tenement) Regulations, 1979 for having made a false statement by Smt. Bhagwati Devi (deceased) in the shape of an affidavit 1.6.1988 and dated 5.7.1988 by concealing the material facts i.e. Sh. Banarasi Dass owned H. No. 2418/1, Sec 40-C, Chandigarh in order to get the allotment in her name and further action may not be initiated to evict legal heirs from the D.U by following the procedure under rules. But nothing has been heard from them till date.

260

In view of the above this office left with no option but to cancel and resume the D. U. No. 2189/2, Sec 45-C, Chandigarh from the name of Sh. Banarasi Dass S/o Sh. Shardha Ram. Therefore, D. U. No. 2189/2, Sec 45-C, Chandigarh is hereby cancelled and resume the allotment with immediate effect and amount forfeited in term of Show Cause Notice already issued by this office letter No. HB/AO-II/SA-VI/2013/8363 dated 13.6.2013 besides liable for the action on envisaged therein.

**Dated:** 5.10.2015

**Enst** No. 4527

A copy is forwarded to Secretary, CHB for information and necessary ~~action~~ Eviction proceedings may be initiated and the occupants of the house may ~~be~~ evicted.

*s.d.*  
Chief Executive Officer  
Chandigarh Housing Board  
Chandigarh

Dated: 24-6-16

*W. S. S.*  
Accounts Officer-II  
For Chief Executive Officer  
Chandigarh Housing Board  
Chandigarh