

**APPEAL DATED 28.08.2024 BEFORE THE CHIEF EXECUTIVE OFFICER, CHANDIGARH
HOUSING BOARD, CHANDIGARH**

Sh. Tilak Raj Patiar S/o Sh. Nanak Chand Patiar
resident of H.No. 2832, Sector 49, Chandigarh

...Appellant

The Estate Officer-cum-Secretary,
Chandigarh Housing Board,
8 Jan Marg, Sector 9-D, Chandigarh

...Respondent

Appeal under Section 72-A, of the Haryana Housing Board Act, 1971 (as extended to U.T., Chandigarh) against the order no. 271 dated 26.09.2018 passed by the Estate Officer-cum-Secretary, Chandigarh Housing Board, Chandigarh in respect of H.No. 2832, Sector 49, Chandigarh.

Present: Sh. Tilak Raj Patiar, Appellant
Sh. Akshey Kumar, Enforcement Officer, CHB
Sh. Bhupinder Singh, Dy Enforcement Officer, CHB
Sh. Kartikey Rana, Dy Enforcement Officer, CHB

Whereas, this appeal has been preferred by Sh. Tilak Raj Patiar S/o Sh. Nanak Chand Patiar being legal heirs of deceased wife Late Smt. Sunita Rani (Original allottee) w/o Sh. Tilak Raj Patihar against the order no. 271 dated 26.09.2018 passed by Estate Officer-cum-Secretary, Chandigarh Housing Board, Chandigarh to resume the allotment of Dwelling Unit No. 2832, Sector 49, Chandigarh.

And whereas resident of H.No. 2832, Sector 49, Chandigarh was given number of opportunities for hearing and was heard in presence of the parties.

Kindly refer to Show Cause Notice No. CHB/EE-ENF/SDE-EIV/ENF/2018/177 dated 30.05.2018 issued in respect of above said Dwelling Unit.

The appellant submitted that the Secretary, Chandigarh Housing Board cancelled the dwelling unit in question on the ground of building violations. He further submitted that he is also ready to remove the building violations, if an opportunity is granted to him. He stated that the appellant is having no other house except the dwelling unit in question and in case the house is not restored to him then he will suffer an irreparable loss. A prayer was made that this appeal may kindly be accepted and impugned order no. 271 dated 26.09.2018 passed by the Secretary, Chandigarh Housing Board, Chandigarh may kindly be set aside in the interest of justice.

The representative of the Chandigarh Housing Board submitted that the appellant has violated the terms and conditions of the allotment letter. It came to the notice of the Chandigarh Housing Board, Chandigarh that the allottee/appellant has made unauthorized construction in the dwelling unit in question and as such the Secretary, Chandigarh Housing Board after issuing show cause notice and granting number of opportunities for removing violations, rightly

cancelled the dwelling unit vide order no. 271 dated 26.09.2018. He further submitted that the site was inspected on 20.05.2025 and violations/encroachments are as under: -

S.No.	Violation	Present Status	Remarks
1.	Tile flooring on govt. land (Front land).	Still exists	-----
2.	M.S. Pipe structure has been extended on govt. land(front side)	Removed	-----
3.	Room has been constructed at back courtyard	Set right	As per Need Based Changes

He submitted that as per inspection report violations still exist at the site in question which need to be removed. He further submitted that even on the last date of hearing the appellant was granted two months' time to remove the building violations and bring the building in conformity with law but he failed to do so. The appeal, he argued, therefore, deserves to be dismissed.

Keeping in view the facts and circumstances of the case as well as willingness of the appellant to remove the building violations and in the interest of justice, I hereby grant a final opportunity to the appellant to remove/set right all the building violations as pointed out by the Chandigarh Housing Board and to bring the building in conformity with law within one month from the date of dispatch of the order. After completion of one month time, the concerned Deputy Enforcement Officer of the Chandigarh Housing Board will inspect the site in question and if violations are still found existing at the dwelling unit in question then the appeal will stand dismissed automatically. In case, the violations are found to be removed/set right and building has been brought in conformity with law, the cancellation order would have no effect and the site be restored to the allottee/owner subject to payment of revival charges and penalty etc. as per rules/regulations. The Chandigarh Housing Board will take action as per order made above, in accordance with law. Appeal is disposed of accordingly.

Announced. Parties be communicated.

CI/CHB/ 2622
Dated 29/10/25

Chief Executive Officer,
Chandigarh Housing Board,
Chandigarh.

Dated: 28-10-2025

Endst. No. CHB/Dy. EO/2025/2369740

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

1. Chief Accounts Officer, CHB for updating the same in the office record.
2. Computer Incharge, CHB
3. PA to CEO, Chandigarh Housing Board.

Chief Executive Officer,
Chandigarh Housing Board,
Chandigarh.