

ITEM NO.105

COURT NO.7

SECTION IV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SCivil Appeal No(s). 2275/2007

CHANDIGARH ADMINISTRATION & ORS.

Appellant(s)

VERSUS

RAJ KUMAR & ORS.

Respondent(s)

(With office report)

Date : 09/10/2014 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE ROHINTON FALI NARIMANFor Appellant(s) Ms. Kaveeta Wadia, Adv.
Mr. Shashank Tripathi, Adv.For Respondent(s) Mr. M. C. Dhingra, Adv.
Mr. Manpreet Singh Doabia, Adv.UPON hearing the counsel the Court made the following
O R D E R

Learned counsel for the appellant submitted that the revisional authority had only granted liberty to the respondent to avail the remedy of re-transfer of the site before the Estate Officer, as a consequence of which he was required to pay conversion charges and get it re-transferred, but the High Court has placed reliance upon a Notification issued on 24.02.2006 issued by the Finance Secretary, Chandigarh Administration, which is prospective in nature and thereby an error has crept in.

It is urged by the learned counsel for the appellant that the said Notification could not have been pressed into service, for the allotment of the premises in question was cancelled some time in year 1990. We find,

prima facie, substantial force in the aforesaid submission of the learned counsel for the appellant.

Mr. Dhingra, learned counsel for the respondent prays for some time to argue the matter.

Call on 15.10.2014.

(NAVEEN KUMAR)
COURT MASTER

(TAPAN KUMAR CHAKRABORTY)
COURT MASTER