# Legal Case Summary: Chandigarh Housing Board vs Tarsem Lal (2024)

Case Title: Chandigarh Housing Board vs Tarsem Lal

Citation: 2024 INSC 119

Court: Supreme Court of India

Date of Judgment: 7 February 2024

Bench: B.V. Nagarathna, Augustine George Masih

## Facts of the Case:

- In 1983, Chandigarh Housing Board issued an advertisement for allotment of houses under SC and ST categories.  
- The respondent, Tarsem Lal, a Scheduled Tribe (ST) from Rajasthan, applied under the ST category.  
- Chandigarh did not have any notified STs under Article 342 of the Constitution.  
- The Housing Board denied Tarsem Lal the benefit.  
- Tarsem Lal filed a suit seeking allotment and reservation benefit as an ST.  
- The Trial Court, Appellate Court, and High Court ruled in favor of Tarsem Lal.

## Procedural History:

- Civil Suit decreed in favor of respondent (Tarsem Lal).  
- First Appellate Court and High Court upheld the Trial Court’s decision.  
- Chandigarh Housing Board filed an appeal before the Supreme Court.

## Issues before the Court:

1. Whether a person recognized as an ST in Rajasthan can claim ST benefits in Chandigarh, where there is no Presidential notification under Article 342.  
2. Whether Chandigarh Housing Board’s advertisement could create enforceable rights despite constitutional provisions.

## Judgment:

- The Supreme Court allowed the appeal.  
- The orders of the Trial Court, Appellate Court, and High Court were set aside.  
- Tarsem Lal was held not entitled to claim ST benefits in Chandigarh.

## Key Legal Findings:

1. Presidential Notification Mandatory: ST benefits in any area are available only after notification under Article 342.  
2. Non-transferability of ST Status: A person’s ST status in one state does not automatically grant ST benefits in another state or UT without a separate notification.  
3. Administrative Errors Do Not Create Rights: Erroneous advertisements cannot override constitutional mandates.  
4. Followed Landmark Judgments: Relied on decisions like Marri Chandra Shekhar Rao, Action Committee, Bir Singh, State of Maharashtra v. Milind, and Abhinav Dipakbhai Patel.

## Final Decision:

✅ Appeal allowed  
✅ Lower court judgments set aside  
✅ Respondent not entitled to ST reservation benefit in Chandigarh  
✅ No order as to costs