

**HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**LPA No.440 of 2015 (O&M)
Date of Decision: 31.03.2015**

Manmohan Singh

... Appellant

VS.

UT Chandigarh & Ors.

... Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE P.B. BAJANTHRI**

Present: Mr. Navkiran Singh, Advocate for the appellant

Mr. Vikramvir S. Sharda,
Addl.Standing Counsel UT Chandigarh

Mr. Vikas Bahl, Senior Advocate with
Mr. Arjun Kundra, Advocate for respondent No.3

SURYA KANT, J. (Oral)

(1) This Letters Patent Appeal impugns the order dated 10.02.2015 whereby learned Single Judge has dismissed the appellant's writ petition *in limine*. Notice of motion was issued and respondent No.3 was directed to remain present in Court. Pursuant thereto, the appellant as well as respondent No.3 both are present with their learned counsel.

(2) Mr. Arjun Kundra, Advocate, on instructions from respondent No.3 who is present in Court, states that instead of filing the reply/documents etc. here at appellate stage, he has no objection if the matter is remitted to learned Single Judge where such an opportunity be granted to respondent No.3.

(3) In view of the afore-mentioned stand taken by learned counsel for respondent No.3, we allow this appeal to the extent that the order under appeal dated 10.02.2015 is set aside and the matter is remitted to the learned Single Judge as per roster to decide the writ petition on merits after giving one opportunity to respondent No.3 to file reply/affidavit, if any.

(4) Parties are directed to appear before the learned Single Judge on 08.04.2015. Having regard to the nature of *lis*, we request the learned Single Judge to list the case for arguments at the earliest and meanwhile, respondent No.3 or UT Administration may file their respective replies/affidavits.

(5) **Dasti** during the course of day.

(Surya Kant)
Judge

31.03.2015
vishal shonkar

(P.B. Bajanthri)
Judge