

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.17591 of 2015 (O&M)
DATE OF DECISION: 17.03.2016

Ram Dev Gupta

....Petitioner

versus

The Home Secretary, U.T., Chandigarh, etc.

.....Respondents

CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Deepak Chaudhary, Advocate for the petitioner

Mr. I.P.S. Doabia, Advocate for the respondents

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S.J. VAZIFDAR, ACTING CHIEF JUSTICE (Oral):

The petitioner's application for allotment of a plot under The Chandigarh Small Flats Scheme, 2006, was rejected on the ground that his name did not appear in the voter-list at the relevant time. In view of the judgment of a Division Bench of this Court dated 22.12.2014 in the case of *Dinesh Kumar & others vs. Union Territory, Chandigarh and others, CWP No.2317 of 2014*, the petitioner would be entitled to rely upon other evidence as well.

2. Learned counsel appearing on behalf of the respondents states that the rules have also been made after the judgment of the Division Bench in *Dinesh Kumar's* case (*supra*).

3. The petition is, therefore, disposed of by directing the respondents to consider the petitioner's application after affording him an opportunity of being heard. The petitioner shall be entitled to produce any other evidence in support of his case. The application shall not be rejected merely on the ground that it has already been rejected by the impugned order.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

17.03.2016

(ARUN PALLI)
JUDGE