

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

**CM No.2483-CWP-2016 in/and
CWP No.9541 of 2012
Date of Decision : 04.04.2016.**

Krishna Kumar

.....Petitioner

Versus

Chandigarh Administration and others

..... Respondents

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

Present: Mr. Mohinder S. Nain, Advocate for applicant-petitioner.
Ms. Nimrata Shergill, Advocate
for non-applicant/respondents No.1 and 2.

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

The petitioner's application for allotment of the flat under the Chandigarh Small Flats Scheme, 2006 has been rejected only on the ground that there was no entry establishing in the biometric slip bearing No.14859 in the official record and that since the petitioner's name does not exist in the biometric survey of the respondents, the condition precedent has not been satisfied.

In view of the judgment of the Division Bench of this Court in CWP No.2317 of 2014, titled as *Dinesh Kumar and others Vs. Union Territory, Chandigarh and others, decided on 22.12.2014*, the petitioner would be entitled to establish his claim even otherwise.

In the circumstances, the writ petition is disposed of by directing the respondents concerned to consider the petitioner's application in accordance with law.

**(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE**

04.04.2016

Manoj Bhutani

**(ARUN PALLI)
JUDGE**