

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

CWP No. 20700 of 2014

DATE OF DECISION : 07.05.2015

Jai Dev

.... PETITIONER

Versus

State of Haryana and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. N.D. Achint, Advocate,
for the petitioner.

Mr. Lokesh Sinhal, Addl. A.G., Haryana.

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SATISH KUMAR MITTAL, J. (Oral)

In the instant petition, the petitioner has challenged the order dated 23.05.2012 (Annexure P-3) alleging that the same has been passed against the principles of natural justice, as before passing the said order, no opportunity of hearing was provided to him.

On the last date of hearing, i.e. on 21.04.2015, learned State counsel sought time to have instructions with regard to withdrawal of the aforesaid order and then pass a fresh order after hearing the petitioner.

Today, learned State counsel has filed short reply by way of affidavit of the Joint Commissioner of Police, Headquarters, Gurgaon. Same is taken on record and its copy has been handed over to learned counsel for

the petitioner. In the said affidavit, it has been stated that the aforesaid order dated 23.05.2012 has been withdrawn, as it was passed without providing opportunity of hearing to the petitioner. It has been further stated that now fresh order will be passed after providing personal hearing to the petitioner.

In view of withdrawal of the aforesaid impugned order, the instant petition has rendered infructuous and the same is disposed of with a direction to the respondents to pass a fresh speaking order, expeditiously, after providing opportunity of hearing to the petitioner.

(SATISH KUMAR MITTAL)
JUDGE

May 07, 2015
ndj

(HARINDER SINGH SIDHU)
JUDGE