

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

C.M. No. 15146 of 2015 in/and
CWP No. 21831 of 2015
Date of decision: 02.12.2015

Ankush and others

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. P.S. Dhaliwal, Advocate,
for the petitioners.

Mr. APS Mann, Addl. A.G., Punjab.

G.S.SANDHAWALIA, J. (Oral)

The present application has been filed for withdrawal of the main writ petition due to typographical mistakes with liberty to file a fresh one.

On 12.10.2015, the following order was passed by this Court:-

“Counsel for the petitioners prays for time to seek instructions whether the petitioners are willing to pay exemplary costs in case it is found that the representations Annexures P-6 and P-7 are not filed in the year 2013, immediately after the result was declared.

Adjourned to 29.10.2015.”

Thereafter, on 29.10.2015, after taking instructions, notice of motion was issued by holding as under:-

“Counsel submits that he has instructions to submit that representations (Annexures P-6 and P-7)

were filed though they have no proof of receipt but they would be bound by the order dated 12.10.2015 passed by this Court regarding payment of exemplary costs if the said fact is found to be false. Reliance is placed upon the judgment of this Court whereby, similar persons have been given the relief on 07.09.2015 (Annexure P-9) but the relief has been limited to those who had approached immediately in the year 2013 since the examination was held in 2013.

Notice of motion.

Mr. R.S. Sidhu, AAG, Punjab accepts notice on behalf of the respondents and prays for time to file reply. Requisite number of copies of writ petition be given to him during the course of the day.

Adjourned to 02.12.2015.”

Now, the application has been filed.

Thus, it is apparent that faced with the truth which is to come out on the filing of the reply by the State, the present application has been preferred to avoid the payment of exemplary costs.

In such circumstances, the application is partly allowed to the extent that the main writ petition is allowed to be dismissed as withdrawn. However, no liberty is granted to file a fresh one on the same cause of action.

02.12.2015
shivani

(G.S. SANDHAWALIA)
JUDGE