

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

CWP-3196-2014

Date of decision : 19.03.2015

KULBIR SINGH AND OTHER

...Petitioners

V/S

STATE OF PUNJAB THROUGH SECRETARY CORPORATION
AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. M. S. Kang, Advocate for the petitioners

Mr. Luvinder Sofat, AAG, Punjab

Mr. H. S. Bedi, Advocate for respondent No.6

Mr. M. S. Bedi, Advocate for respondent Nos.7 to 12

Mr. Gurpal Sandhu, Advocate for respondent No.13

JITENDRA CHAUHAN, J. (Oral)

After arguing the case for some time, learned counsel for the petitioner seeks to withdraw the present petition with liberty to avail the alternative remedy available to the petitioner under law. The petitioner had filed this writ petition in good faith for the redressal of his grouse. In case the petitioner avail the alternative remedy and files a petition along with the application for condonation of delay before the competent authority within two weeks from the receipt of the certified copy of the order, in that case, the question of delay will not be raised

against the petitioner.

Dismissed as withdrawn.

The sealed cover containing report is received with broken seals.

At this stage, the learned counsel for the writ petitioner states that the inquiry report sent by the judicial officer under the sealed cover was inadvertently opened under a bona fide belief that he being the counsel for the writ petitioner has the right to open up the same. He states that the act done with bona fide belief may be condoned.

Though the conduct of the learned counsel warrants action against him, however, keeping in view the statement made and the affidavit filed in this regard, taken on record as Mark 'A', this court is inclined to accept the apology tendered by the learned counsel for the petitioner.

Registry is directed to pass on the necessary instructions to the staff concerned to avoid such like eventuality in future.

The report be resealed.

19.03.2015
ashok

(JITENDRA CHAUHAN)
JUDGE