

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

LPA No. 1488 of 2015

DATE OF DECISION : 15.10.2015

Jarnail Singh

.... APPELLANT

Versus

State of Punjab and others

.... RESPONDENTS

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

HON'BLE MR. JUSTICE HARI PAL VERMA

Present : Mr. Sukhjit Singh, Advocate,
for the appellant.

* * *

SATISH KUMAR MITTAL, J. (Oral)

The instant intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 02.09.2015 passed by the learned Single Judge, whereby the writ petition (CWP No. 18383 of 2015) filed by the appellant challenging the order dated 05.11.2012 (Annexure P-1) passed by the District Collector, Ludhiana, appointing Tarsem Singh (respondent No.5) as Lambardar of village Mallewal, Tehsil Ludhiana (East), District Ludhiana, has been dismissed.

Before filing CWP No. 18383 of 2015, the appellant had filed another writ petition (CWP No. 15701 of 2015) challenging the same order appointing respondent No.5 as Lambardar of village Mallewal, and the said writ petition was dismissed by the learned Single Judge on 03.08.2015.

Instead of filing LPA against the said order, the appellant, while concealing

the aforesaid fact of dismissal of his earlier writ petition, filed second writ petition (CWP No. 18383 of 2015), which has been dismissed by the learned Single Judge vide order dated 02.09.2015, which has been impugned in the instant appeal.

On 14.10.2015, when the matter was taken up for hearing, learned counsel for respondent No.5 appeared and disclosed the aforesaid fact regarding dismissal of the earlier writ petition (CWP No. 15701 of 2015). Thereupon, on request of learned counsel for the appellant, the matter was adjourned for today.

Today, the appellant is present in court. He has filed his affidavit dated 15.10.2015, accepting the aforesaid facts, and has tendered his unconditional apology for concealing the material fact from this court. He has also prayed that the present LPA be dismissed as withdrawn.

Taking a lenient view in the matter, the unconditional apology tendered by the appellant is accepted and she is permitted to withdraw this appeal.

Dismissed as withdrawn.

**(SATISH KUMAR MITTAL)
JUDGE**

October 15, 2015
ndj

**(HARI PAL VERMA)
JUDGE**