

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.15702 of 2016

Date of Decision: 04.08.2016

Birpal

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. P.R. Yadav, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.

The petitioner has been removed from service by order dated July 25, 2016 (Annex P-7). He has filed an appeal before the Additional Chief Secretary, Department of Industrial Training, Haryana on August 02, 2016 and without awaiting final decision has approached this Court. It is conceded that the appeal is statutory in nature and, therefore, a writ is not maintainable at this stage since the statutory remedy has been availed. It cannot be said that an appeal filed on August 02, 2016 can reasonably be expected to be decided in two days. The petitioner has availed his statutory remedy and he must be pursue that remedy alone in the first instance.

Mr. Yadav prays that he may be allowed to withdraw the present petition with liberty to pursue his remedy in appeal.

Dismissed as withdrawn with the aforesaid liberty.

It is expected that the application for stay/main appeal will be

decided within a reasonable time either together or the application in the first instance.

(RAJIV NARAIN RAINA)
JUDGE

04.08.2016
manju

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No