

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-19133-2016

Date of decision: 15.09.2016

Davender Nath

..... Petitioner

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. Ashwani Talwar, Advocate for the petitioner.

AJAY KUMAR MITTAL, J. (ORAL)

1. The petitioner has approached this Court under Article 226 of the Constitution of India *inter alia* seeking a direction to the respondents to delete the name of the petitioner as a co-sharer in the allotment letter issued by respondent No. 4 vide memo No. 6671 dated 15.05.2007 (Annexure P-10) and to consider the case of the petitioner for allotment of plot measuring 10 marlas under the oustees quota on the basis of individual land holding of the petitioner.

2. It was not disputed that certain questions of fact are involved in this case which are required to be established by leading cogent and convincing evidence. Accordingly, learned counsel for the petitioner submitted that he may be allowed to withdraw the instant petition, with

liberty to the petitioner to file a civil suit for the relief claimed in the present writ petition.

3. Dismissed as withdrawn. It shall, however, be open to the petitioner to take recourse to the remedies, as may be available to him, in accordance with law.

**(AJAY KUMAR MITTAL)
JUDGE**

September 15, 2016
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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No