

**C.M.No.14550 of 2017 in/and
CWP No.17967 of 2017**

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

**C.M.No.14550 of 2017 in/and
CWP No.17967 of 2017
Date of decision:13.10.2017**

Laxmi Narayan Yadav and others ... Applicant/petitioners

Vs.

Union of India and others ... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Mr. Shalender Mohan, Advocate
for the applicant/petitioners.

AJAY KUMAR MITTAL, J. (ORAL)

C.M.No.14550 of 2017

This is an application filed under Order XLI Rule 19 CPC read with Section 151 of Code of Civil Procedure, for restoration of the aforesaid writ petition which was dismissed for want of prosecution on 03.10.2017.

After hearing the learned counsel for the applicant/petitioners, perusing the averments made in the application which is supported by an affidavit of learned counsel for the applicant/petitioners, the same is allowed and the writ petition is ordered to be restored to its original number.

CWP No.17967 of 2017

1. In this writ petition filed under Articles 226 and 227 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of prohibitory for restraining the respondent from lying down the

Hansi Rohtak via Meham railway line from the south side of village Dhana Khurd because as per the survey conducted by railway department, the railway line was to be laid down from the north side of village Dhana Khurd.

2. After arguing for some time, when the Bench was not agreeing with the prayer made in the writ petition, learned counsel for the petitioners submitted that he may be permitted to withdraw the present writ petition with liberty to the petitioners to pursue the matter with the respondent-authorities.
2. Dismissed as withdrawn.
3. However, it shall be open to the petitioners to take recourse to the remedies as may be available to them, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

October 13, 2017
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Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No