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

Date of decision : 21.12.2017

1.

CWP-23701-2017

M/s Ek Onkar Builders & Contractors Private Ltd.

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

2.

CWP-23630-2017

M/s Ek Onkar Builders & Contractors Private Ltd.

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

3.

CWP-23661-2017

M/s Ek Onkar Builders & Contractors Private Ltd.

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

4.

CWP-23724-2017

M/s Ek Onkar Builders & Contractors Private Ltd.

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

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

**Present: Mr. Aman Kashyap, Advocate
for the petitioner(s).**

Mr. Pankaj Gupta, Addl. A.G., Punjab.

Mr. R.S. Khosla, Senior Advocate with
Mr. Sarvesh Malik, Advocate
for respondent Nos.2 to 4.

AJAY KUMAR MITTAL, J. (ORAL)

This order shall dispose of four writ petitions bearing **CWP Nos.23701, 23630, 23661 & 23724 of 2017**, as according to the learned counsel for the parties, the issues involved therein, are identical. For brevity, the facts are being taken from **CWP No.23701 of 2017**.

2. The petitioner(s) has approached this Court under Articles 226/227 of the Constitution of India for issuance of writ in the nature of *Certiorari*, *mandamus* or any other appropriate writ order or direction, quashing the impugned memo dated 27.09.2017 (Annexure P-8) and impugned proposal/noting dated 20.09.2017 (Annexure P-9). A further writ of *mandamus* has been sought for directing the respondents to allow the petitioner to continue the work as per the terms and conditions for contract agreement (Annexure P-2).

3. After arguing for sometime, learned counsel for the petitioner(s) submitted that the letter dated 26.09.2017 (Annexure R-1) has been attached along with the written statement, which was not earlier available with the petitioner(s) at the time of filing of the writ petition and, therefore, no challenge could be made to the same. Accordingly, a prayer was made that he may be allowed to withdraw the present writ petitions with liberty to the petitioner(s) to file fresh one on the same cause of action

including laying challenge to the letter dated 26.09.2017 (Annexure R-1) passed by the Superintendent Engineer (C-1), GMADA, SAS, Nagar.

4. Dismissed as withdrawn with the liberty aforesaid.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

21.12.2017
Yogesh Sharma

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**