

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

LPA No.1863 of 2016 (O&M)

Date of Decision : 05.12.2017

Dr.K.C.Jindal, Lecturer (Retd.)

....Appellant

Versus

State of Haryana and others

....Respondents

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI**

**Present : Mr.Puneet Bali, Sr. Advocate with
Mr. Ashwani Bakshi, Advocate
for appellant.**

MAHESH GROVER, J. (Oral)

The writ petition filed by the appellant was accepted in terms of a mandate warranting consideration of his grievance, which resulted in an order adverse to him. Instead of impugning that order the appellant filed a review petition questioning the order which had come into existence after the consideration granted by the official respondents.

The present appeal has been filed essentially against the order declining review on the ground of limitation.

After hearing the learned counsel for the appellant, we are of the opinion that filing of the review petition as also the present Letters Patent Appeal is flawed. The only remedy left with the appellant after an adverse order was passed against him was to initiate fresh proceedings against it. Review was concededly a remedy unavailable to the appellant. Confronted with this situation, learned counsel for the appellant states that he be permitted to withdraw the present

appeal with liberty to challenge the order dated 07.11.2015 and to raise all the pleas that have been raised against the said order in the present appeal. We permit the appellant to do so.

Dismissed as withdrawn with the liberty aforesaid granted.

(MAHESH GROVER)
JUDGE

05.12.2017
dss

(RAJ SHEKHAR ATTRI)
JUDGE

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