

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

**CM-10473-10474-CWP-2018 in/and
Civil Writ Petition No.13619 of 2018
Decided on : 30.08.2018**

Mahender Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. Rajender Kumar, Advocate for
Mr. Mahendra Singh Tewatia, Advocate
for the petitioner.

G.S. Sandhawalia, J. (Oral)

CM-10473-10474-CWP-2018

CM-10474-CWP-2018 has been filed for restoration of the writ petition, which was dismissed in default vide order dated 30.05.2018, which is barred by limitation of 25 days in filing, for which a separate CM-10473-CWP-2018 has been filed, duly supported by affidavit of the counsel.

For the reasons given in the application for condoning the delay, the same is allowed. The delay of 25 days in filing the application for restoration is condoned.

Order dismissing the writ petition is recalled. Case is restored to its original number, without issuing notice to the respondents, as the case was dismissed at the initial stage without notice having been issued to the respondents.

The main case is taken on board today itself.

CMs stand disposed of.

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Main case

At the outset counsel submits that he is not in a position to press the writ petition and prays for liberty to avail his alternative remedy before the Principal Civil Court of original jurisdiction, in view of the similar orders having been passed in a bunch of cases lead case of which was **CWP No.15173 of 2018 'Sunder Pal Vs. State of Haryana and others'** decided on 09.07.2018, wherein also the same Award dated 02.09.2015 passed by the Arbitrator under the National Highway Act, 1956, was subject matter of challenge.

Resultantly, the present writ petition is disposed of with the aforesaid liberty.

AUGUST 30, 2018
Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No