

(102) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.1102 of 2017 (O&M)
in CWP No.3491 of 2017
Date of decision: 24.04.2018

Baljit Singh and another Appellants

Versus

State of Haryana and others Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL.
HON'BLE MR. JUSTICE B.S. WALIA.

Present: Mr. Hardeep Singh Dhillon, Advocate for
Mr. Rajbir Singh, Advocate for the appellants.

Rajesh Bindal, J.

Order passed by the learned Single Judge dated 28.02.2017 dismissing the writ petition has been impugned by filing the present intra-court appeal. Along with the present appeal, application seeking condonation of 15 days' delay in filing thereof, has also been filed.

The appellants had earlier filed CWP No.12247 of 2009 challenging orders dated 11.06.2008, 06.08.2008 and 10.10.2008 (Annexures P2 to P4), respectively which was dismissed as withdrawn on 22.03.2011 by passing the following order:-

“The pleadings in the petition are defective. There is no justification. Learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file afresh.

Allowed.

Dismissed as withdrawn.

Fresh petition would be entertained only subject to deposit of ₹ 5000/- by the petitioners with Haryana State Legal Services Authority.”

Though liberty was granted to the appellants to file a fresh petition subject to deposit of costs on 22.03.2011, but fresh petition was filed more than six years thereafter in 2017. Hence, the same has rightly been dismissed by the learned Single Judge.

There is no error in the order passed by the learned Single Judge.

The present appeal is accordingly dismissed. Consequently, the accompanying application seeking condonation of delay in filing the appeal is also dismissed.

(Rajesh Bindal)
Judge

24.04.2018
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(B.S. Walia)
Judge

1. Whether speaking/reasoned : Yes/No.
2. Whether reportable : Yes/No.