

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

107

CWP-2767-2019

Date of Decision: 01.02.2019

Surender Singh

--Petitioner

Versus

State of Haryana and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr.Amit Chaudhary, Advocate
for the petitioner.

TEJINDER SINGH DHINDSA.J.

Instant writ petition raises a challenge to the order dated 15.09.2017 (Annexure P-1) passed by respondent No.3 cancelling the licence of the petitioner under the provisions of the Fertilizer (Control) Order, 1985. Further challenge is to order dated 19.12.2017 (Annexure P-3) whereby the appeal preferred by the petitioner against the cancellation of the licence has been declined.

Having heard counsel for the petitioner, this Court is of the considered view that the instant writ petition is wholly misconceived.

Concededly, the petitioner had earlier approached this Court by way of filing of CWP No.12808 of 2018 (Surender Singh vs. State of Haryana and others) in which also challenge was to the same very orders that have been assailed in the instant petition. CWP No.12808 of 2018 was dismissed by a Co-ordinate Bench of this Court vide order dated 21.05.2018 (Annexure P-4). Petitioner then filed an LPA No.1713 of 2018 against order dated 21.05.2018 passed by the writ Court and in which the

following order was passed:-

“Present: Shri Amit Chaudhary, Advocate
for the appellant.

..

KRISHNA MURARI, CHIEF JUSTICE: (Oral)

After the matter was heard for some time, learned counsel for the appellant sought leave of the court to permit withdrawal of the appeal with liberty to approach the learned single Judge by making an appropriate application for the grounds raised in this appeal.

Prayer made is allowed.

Appeal is permitted to be withdrawn with the aforesaid liberty.

31.10.2018 Sd/-(KRISHNA MURARI)
CHIEF JUSTICE

Sd/-(ARUN PALLI)
JUDGE”

The order passed by the Letters Patent Bench cannot be read so as to vest in the petitioner a right to file a writ petition second time over challenging the order of cancellation of his licence.

Petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

01.02.2019
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- i) Whether speaking/reasoned? Yes/No
- ii) Whether reportable? Yes/No