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CM-6478-CWP-2019 IN/&  
CWP-2083-2012

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CM-6478-CWP-2019 IN/&  
CWP-2083-2012

Date of Decision: 01<sup>st</sup> May, 2019

Animal Husbandry Cooperative House Building Society Ltd.

...Petitioner

Versus

State of Haryana & others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present: Mr. Rajesh Khandelwal, Advocate.

Mr. Ram Kumar Saini, Advocate  
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana  
for respondents No.1 and 2.

Mr. Subhash Ahuja, Advocate and  
Mr. S.S. Dinarpur, Advocate,  
for respondent No.3 to 5.

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**AUGUSTINE GEORGE MASIH, J. (ORAL)**

**CM-6478-CWP-2019**

Prayer in this application is for withdrawal of the writ petition  
which has been filed by the petitioner – Society.

Notice of the application to the respondents through their  
counsel, who have put in appearance in Court and stated that they have no  
objection to the withdrawal of the writ petition as prayed for.

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Mr. Rajesh Khandelwal, Advocate, who had initially filed the writ petition, submits that the matter may be decided on merits as he has no instructions and objects to the prayer made in the application.

I have considered his request, however, keeping in view the fact that a resolution has been passed by the petitioner – Society to appoint a new counsel, who has filed this application and has put in appearance, states that the petitioner – Society does not want to pursue the writ petition any further. However, to safeguard the interest of the earlier counsel, Mr. Khandelwal, this Court called upon him to state as to whether his dues have been cleared or not, to which, he says that there are no dues, this Court finds no justification on the part of Mr. Khandelwal to object to withdrawal of the writ petition as it is the prerogative of the litigant to engage any counsel and to instruct him/her in relation to its litigation/case.

If that be so, keeping in view the fact that the petitioner – Society has engaged another counsel and filed an application for withdrawal of the writ petition, to which, there is no objection by the counsel for the respondents, the present application is allowed. The writ petition is permitted to be withdrawn as prayed for.

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Dismissed as withdrawn.

01<sup>st</sup> May, 2019  
Harish

(AUGUSTINE GEORGE MASIH)  
JUDGE

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |