

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

**CWP No.14497 of 2018 (O&M)
Date of Decision: January 15, 2020**

Shinder Singh **Petitioner**

Versus

State of Punjab and others **Respondents**

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.S. Sekhon, Advocate for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the petitioner is challenging the order dated 07.05.2018 (Annexure P-3) passed by the Director Dairy Development Department, Punjab, by which the petitioner has been dismissed from service.

Learned counsel for the respondent-State has raised a preliminary objection that the said order is appealable and without availing the remedy of appeal, the petitioner has filed the present writ petition.

Faced with this situation, learned counsel for the petitioner prays that the petitioner be allowed to withdraw this petition with liberty to file an appeal against the order dated 07.05.2018 (Annexure P-3).

Learned counsel for the petitioner further states that the respondents be directed to decide the appeal of the petitioner on merits as the impugned order was passed on 07.05.2018 and the appeal of the petitioner might not be dismissed on the ground of limitation.

Learned counsel for the respondent-State, on instructions from Mrs. Pallavi, Sr. Assistant to Director of Department of Dairy Development,

states that in case any appeal is preferred by the petitioner, the same will be decided on merits and will not be summarily rejected on the ground of limitation as the petitioner was pursuing the present remedy.

Keeping in view the request of the learned counsel for the petitioner, he is permitted to withdraw the present writ petition with liberty to file an appeal against the impugned order dated 07.05.2018 (Annexure P-3).

(HARSIMRAN SINGH SETHI)
JUDGE

January 15, 2020

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No