

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(Proceedings through VC)

111 - CWP-10843-2021 (O&M)

Date of Decision: 15.06.2021

Nirmal Singh

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

CORAM: Hon'ble Mr. Justice Augustine George Masih

Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Amit Kumar Saini, Advocate for the petitioner

Ms. Monica Chhibber Sharma, Sr.DAG, Punjab

Mr. Neeraj Sharma, Advocate for respondent No.6

Augustine George Masih, J. (Oral)

CM-7180-CWP-2021

Allowed as prayed for.

Document (Annexure P10) dated 01.04.2021/06.04.2021 is taken on record subject to just exceptions.

CM stands disposed of.

Main case (O&M)

In the light of objection taken by counsel for respondent No.6 that the petitioner has got a statutory remedy of appeal which has not been availed, learned counsel for the petitioner prays for withdrawal of the writ petition to avail the said remedy. However, he points out that the grounds which have been taken by the petitioner would go to the root of the jurisdictional aspect. If that be so, the petitioner may incorporate the same in the appeal which he intends to prefer and if the same is pressed before the appellate authority, this Court is sanguine that the said authority will take that

into consideration and pass appropriate orders in accordance with law.

Accordingly, the writ petition is disposed of as withdrawn with liberty aforementioned.

Ordered accordingly.

(Augustine George Masih)
Judge

15.06.2021
Vvishal

(Girish Agnihotri)
Judge

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| 1. <i>Whether speaking/reasoned?</i> | <i>Yes</i> |
| 2. <i>Whether reportable?</i> | <i>No</i> |