

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

(115)

CWP No. 10883 of 2021

Date of Decision : 02.07.2021

Rahul Dhankhar

...Petitioner

Versus

State of Haryana and another

...Respondents

(through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Deepinder Singh Patwalia, Senior Advocate with
Mr. Ishaan Bhardwaj, Advocate for the petitioner.

Mr. Sharad Aggarwal, Assistant Advocate General, Haryana.

Mr. Sanjeev Kaushik, Advocate and
Mr. Rohit Kaushik, Advocate for respondent No. 2.

Harsimran Singh Sethi J. (Oral)

Reply by way of short affidavit on behalf of respondent No. 2
has been filed in Court today. The same is taken on record.

Learned counsel appearing on behalf of respondent No. 2
submits that the participation by the Chairman in the proceedings in respect
of the Appeal filed by the petitioner was under bona fide impression that all
the members of the Commission have to participate in the proceedings even
though one of the member of the Commission i.e. the Chairman had passed
the impugned order, which was taken in appeal by the petitioner. Learned
counsel for respondent No. 2 further submits that the impugned order
passed in Appeal dated 24.03.2021 (Annexure P-11) be treated as
withdrawn with liberty to the Commission to pass an appropriate fresh order
in accordance with law.

As the impugned order passed in the Appeal preferred by the petitioner has already been withdrawn, learned senior counsel for the petitioner submits that his grievance qua the said order as of now stands redressed and, therefore, he does not press this writ petition at this stage.

Ordered accordingly.

It is made clear that respondents will be at liberty to pass a fresh order on the appeal preferred by the petitioner in accordance with law.

July 02, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No