

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-16293-2021

Date of decision: October 11, 2021

Bijender Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Brijender Singh, Advocate for
Mr. Prateek Pandit, Advocate for the petitioner.

Mr. Tapan Kumar, DAG Haryana.

ARUN MONGA, J (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of Certiorari for quashing the order dated 18.08.2021 (Annexure P-3) passed by respondent No.2.

Learned counsel for the petitioner submits that he needs to file replication controverting certain factual assertions contained in the reply filed by respondents No.1 & 2. While on the other hand, learned State counsel submits that during pendency of the proceedings, a speaking order dated 22.09.2021 has been passed giving detailed reasons thereof *qua* the non-admissibility of the claim of the petitioner. He submits that petitioner should either amend his petition to challenge the said speaking order or file fresh petition.

In the premise, writ petition is dismissed with liberty to the petitioner to file fresh one on the same cause of action to impugn the speaking order dated 22.09.2021.

In his fresh petition, if so advised, petitioner shall also be at liberty to deal with the factual assertions contained in the reply herein.

**(ARUN MONGA)
JUDGE**

October 11, 2021

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No