

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-18217-2021 (O&M)
Date of Decision: 14.09.2021

Rizwan Khan

... Petitioner

VS.

Punjab Waqf Board through its
Chief Executive Officer & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Dinesh Kumar, Advocate for the petitioner.

Mr. J.S. Maanipur, Advocate for the respondents.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of restrictions due to outbreak of COVID-19 pandemic.

Petitioner-Rizwan Khan stated to be aged 54 years, has filed the present writ petition *inter alia* with a prayer for quashing the impugned order dated 04.08.2021 (Annexure P-20) passed by respondent No.3 and order dated 25.08.2021 (Annexure P-21).

At the outset, learned counsel for the petitioner has brought to the notice of this Court order dated 07.09.2021 (Annexure P-29) whereby the request and review request of the petitioner to allow the same DA i.e. Sh. Mohd. Aslam, has been rejected by the Enquiry Officer.

Learned counsel for the respondents submits that there is a justification in passing this order. He further submits that the defence assistant cannot be permitted, who is higher in rank than the presenting officer. He submits that the petitioner if so aggrieved, may either have a co-worker of lower rank than the presenting Officer or an advocate.

Learned counsel for the petitioner submits that he would make a request for allowing the petitioner to be assisted by an advocate. It is directed that if such a representation is made, the same be decided in view of the above.

The request of the learned counsel for the petitioner is also accepted to the effect that if petitioner is still aggrieved of some other action of the respondents as also for any other relief prayed in the writ petition, he is at liberty to file a fresh writ petition.

Prayer of the learned counsel is accepted.

In view of the above, the main writ petition stands **dismissed as withdrawn,** with liberty as prayed.

14.09.2021
Shruti

(Girish Agnihotri)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No