

CWP No. 240 of 2021 (O&M)1

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

CWP No. 240 of 2021 (O&M)

Date of Decision:19.01.2021

Duli Chand

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. J.S.Gill, Advocate
for the petitioner.

Ms. Upasana Dhawan, AAG., Haryana.

LISA GILL, J(Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

This petition has been filed for setting aside order dated 10.03.2017, Annexure P-1, passed by the learned District Magistrate, Sirsa, whereby surety of Rs.2,00,000/- submitted by the petitioner when the accused Surjit after being released on parole for four weeks, did not surrender, has been forfeited, besides notice dated 18.11.2020, passed by the learned Collector, Sirsa, vide which petitioner's land has been ordered to be auctioned. It is submitted that accused had been thereafter granted bail and he was produced before the learned District Magistrate, but still impugned order was passed.

Learned counsel for the respondent-State, on instructions from Sh. Pradeep Kumar, Naib Tehsildar, Nathusari Chopta, submits that auction in respect to the petitioner's land which was to be held on 22.12.2020 was not held and as of now, no date for the same has been fixed.

Learned counsel for the petitioner is unable to deny that impugned order dated 10.03.2017, Annexure P-1, is an appealable order.

Accordingly, he seeks to withdraw this petition with liberty to the petitioner

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to avail the remedy/remedies as may be available to him in accordance with law.

Petition is accordingly dismissed as withdrawn with liberty as
aforementioned.

19.01.2021
s.khan

[LISA GILL]
Judge

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