

CM-19968-CWP-2022;
CM-19980-CWP-2022;
CM-19982-CWP-2022 in/&
CWP-2584-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CM-19968-CWP-2022;
CM-19980-CWP-2022;
CM-19982-CWP-2022 in/&
CWP-2584-2020
Date of Decision :19.12.2022

Manjit Kaur

...Petitioner

Versus

U.T. Chandigarh and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amardeep S. Shergill, Advocate for
Mr. Navjot Singh, Advocate for the petitioner.

* * *

Harsimran Singh Sethi, J. (Oral)

CM-19968-CWP-2022

Present application has been filed for condoning the delay of 213 days in filing the application for restoration of the main writ petition, which was dismissed for non-prosecution vide order dated 11.03.2022 of this Court.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Delay of 213 days in filing the application for restoration of the main writ petition is condoned.

CM-19980-CWP-2022

Present application has been filed for recalling the order dated 11.03.2022 passed by this Court by which, the main writ petition was

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dismissed for non-prosecution.

Keeping in view the averments made in the application, which are duly supported by an affidavit, application is allowed. Order dated 11.03.2022 passed by this Court is recalled and the main writ petition is ordered to be restored to its original number and status and is taken up for hearing today itself.

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After arguing for some time, learned counsel for the petitioner submits that as the material averments with regard to the date of appointment of the late husband of the petitioner namely, Sheetal Singh as well as nature of his appointment is not mentioned in the writ petition, which averments are necessary for adjudication as to whether, after the death of the said employee, his wife will be entitled for any benefit or not, the petitioner be allowed to withdraw the present writ petition with liberty to file a fresh one on the same cause of action with better particulars.

Ordered accordingly.

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The present application is also dismissed as withdrawn

December 19, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No