

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

107

LPA No.613 of 2022 (O&M)

Date of Decision: September 21st, 2022

Bed Kiran Singh

...Appellant

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ALOK JAIN**

Present: Mr. Suresh Kumar Kaushik, Advocate
for the applicant-appellant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.1399-LPA of 2022

Prayer in this application is for condonation of delay of 63 days
in filing the appeal.

For the reasons mentioned in the application, which is
supported by the affidavit of the applicant-appellant, present application is
allowed.

Delay of 63 days in filing the appeal stands condoned.

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Learned counsel for the appellant contends that the learned
Single Judge has proceeded to decide the case of the appellant on the facts
and circumstances of a case, which is not applicable to the present case.
He contends that the disposal of the writ petition by the learned
Single Judge, if the facts would have been taken note of, could have been on
a different footing.

When confronted that the said aspect should have been brought
to the notice of the Court by filing a Review Application, counsel for the
appellant prays for withdrawal of the present appeal to file an appropriate
application for review before the learned Single Judge.

In the light of the above, the present appeal is permitted to be withdrawn with liberty aforesaid.

It goes without saying that in case an appropriate application is moved for condonation of delay, the same may be considered as the appellant had been availing of the remedy by filing the present appeal.

(AUGUSTINE GEORGE MASIH)
JUDGE

September 21st, 2022
Puneet

(ALOK JAIN)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No