

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

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CWP No.26941 of 2019

Date of decision: 12.10.2022

Pal Singh

...Petitioner

V/s

Managing Director, Food Corporation of India
and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Madan Pal, Advocate for the petitioner.

Mr. Tarun Seth and Ms. Deepika Bansal, Advocates for
Mr. Sumit Jain, Advocate for the respondents.

VIKAS SURI, J. (Oral)

The present petition filed under Articles 226/227 of the Constitution of India seeks issuance of a writ in the nature of mandamus for directions to the Appellate Authority to take a final decision on the appeal dated 22.08.2016 (Annexure P-5) preferred by the petitioner, whereby order dated 06.07.2016 (Annexure P-4) was challenged.

Learned counsel for the petitioner submits that the cause of action in the present petition does not survive inasmuch as the afore-referred appeal by the petitioner stands decided and the said order has been communicated to the petitioner vide forwarding letter dated 06.12.2019.

It is further submitted that this writ petition was instituted on 18.09.2019 but however, passing of the aforesaid order by the Appellate Authority was not brought to the notice of the counsel prior to filing of the petition and thereafter, the matter could not be taken up due to Covid-19 pandemic. The petitioner is now availing the remedy of statutory review

against the order dated 05.07.2017 passed in the above noticed appeal, which was communicated to him vide forwarding letter dated 06.12.2019.

Heard learned counsel for the parties.

Keeping in view of the above, it is prayed that liberty be granted to the petitioner to pursue his statutory remedy being availed, as the cause of action does not survive in the present petition and as such no further orders are required to be passed in that regard.

Learned counsel for the respondents submits that he has no objection to the petitioner availing his statutory remedy, as per law.

Accordingly, this petition is disposed of with liberty to the petitioner to pursue the above mentioned remedy of statutory review, in accordance with law.

(VIKAS SURI)
JUDGE

October 12, 2022
Ajay

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