

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-116-2019

Date of decision : 10.05.2023

Sita Ram

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHLPresent: Mr.Bhupinder Ghai, Advocate
for the petitioner.Ms.Upasana Dhawan, AAG, Haryana
for the respondents.**VIKAS BAHL, J.(ORAL)**

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the order dated 13.07.2016 (Annexure P-1) passed by respondent no.5.

2. Learned State counsel has pointed out that in the present case, the order has been passed under Section 53 of the Haryana Gram Panchayat Act, 1994 and the petitioner has an alternative remedy whereas in paragraph 16 of the writ petition, it is stated that the petitioner has no other alternative remedy.

3. Learned counsel for the petitioner has prayed that in view of the above, the petitioner be permitted to withdraw the present writ petition with liberty to avail alternative remedy available to the petitioner. It is further prayed that since the petitioner had been pursuing the present

remedy, thus, in case, the petitioner files an appropriate petition before the competent authority within a period of one month from today, then the competent authority be directed not to dismiss the same solely on the ground of limitation.

4. Keeping in view the above said facts and circumstances, the present petition is dismissed as withdrawn with liberty to avail alternative remedy. In case an appropriate petition is filed before the competent authority within a period of one month from today, then the competent authority would not dismiss the same solely on the ground of limitation.

(VIKAS BAHL)
JUDGE

May 10, 2023
Davinder Kumar

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