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

CM-9838-CWP-2023 in/and
CWP-1455-2020 (O&M)
Date of decision: 02.06.2023

Mahender Singh Chawla

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sanjay Gahlawat, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana
for respondent Nos.1 to 5.

VIKAS BAHL, J. (ORAL)

CM-9838-CWP-2023

1. This is an application filed under Order 9 Rule 9 CPC read with Article 226 of the Constitution of India for restoration of the case and recalling of order dated 09.03.2023.
2. For the reasons stated in the application which is duly supported by an affidavit, the present application is allowed and order dated 09.03.2023 is recalled and the main case is restored to its original number and is taken up today itself for final disposal.

Main case

1. This is a Civil Writ Petition filed under Articles 226/227 of the

Constitution of India for issuance of a writ in the nature of mandamus directing respondent No.4 to recover the amount of misappropriation/embezzlement of Gram Panchayat funds from respondent No.6 being legal heir (husband) of Ex-Sarpanch.

2. Learned counsel for the petitioner seeks permission of this Court to withdraw the present Civil Writ Petition with liberty to file a fresh petition after making appropriate representation before the competent authority who as per law is empowered to take action in the facts and circumstances of the case.

3. In view of the above, the present Civil Writ Petition is dismissed as withdrawn with liberty aforesaid.

4. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

02.06.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No