

**247(a)**

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

CWP-2184-2022

Date of decision: 10.10.2023

Sushil Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. Pankaj Bharadwaj, Advocate for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana  
for respondent Nos.1 and 3.

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**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 order dated 04.01.2022 (Annexure P-1) passed by respondent No.3 holding the petitioner guilty of causing delay in the delivery of notified service to respondent No.2 and imposing a penalty of Rs.5000/- on the petitioner.

2. Learned counsel for the petitioner seeks permission of this Court to withdraw the present Civil Writ Petition with liberty to the petitioner to file review petition before respondent No.3 in accordance with law. It is further submitted that in case, the petitioner files review petition before respondent No.3 within a period of one month from today then the

same may kindly be not dismissed solely on the ground of limitation as the petitioner had been pursuing the present writ petition before this Court.

3. Learned State Counsel has submitted that in case the petitioner files review petition within a period of one month from today before respondent No.3 then they would not raise any objection regarding limitation.

4. In view of the above, the present Civil Writ Petition is dismissed as withdrawn with liberty to the petitioner to file review petition before respondent No.3 as has been done by Wahida Hamid who is the petitioner in CWP-6603-2022 and in case, the petitioner files review petition within a period of one month from today before respondent No.3 then respondent No.3 would not dismiss the same solely on the ground of limitation.

5. It is made clear that this Court has not opined on the merits of the case and it would be open to respondent No.3 to consider the same independently and in accordance with law.

**10.10.2023**

*Pawan*

**(VIKAS BAHL)  
JUDGE**

**Whether speaking/reasoned:-**

**Yes/No**

**Whether reportable:-**

**Yes/No**