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

CWP-2489-2023

Date of decision: 10.08.2023

Vishal Grover

...Petitioner

Versus

Arjun Dev and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ravi Kumar Girdhwal, Advocate for the petitioner.

Ms. Nevadita Malik, Advocate for respondent No.1.

Ms. Rajni Gupta, Addl. A.G., Haryana
for respondent No.3.

VIKAS BAHL, J. (ORAL)

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 certiorari for quashing the order dated 19.05.2022 passed by respondent No.3 whereby the release deed dated 14.09.2018 has been declared null and void and the petitioner and respondent No.2 are directed to pay Rs.10,000/- per month to respondent No.1.

2. On 07.08.2023, this Court had passed the following order:-

“Learned State Counsel as well as learned counsel for respondent No.1 have submitted that in view of judgment passed by the Hon’ble Division Bench of this Court in

Paramjit Kumar Saroya Vs. Union of India and another,
*reported as **2016(3) RCR (Civil) 146**, an appeal against the
impugned order is maintainable.*

*Learned counsel for the petitioner prays for a short
adjournment to get instructions in the matter.*

Adjourned to 10.08.2023.

To be taken up at 11:30 am.

*It is made clear that no further request for an
adjournment shall be entertained.”*

3. Learned counsel for the petitioner has submitted that in view of the same, he seeks permission of this Court to withdraw the present Civil Writ Petition with liberty to the petitioner to file statutory appeal, in accordance with law. It is further prayed that since, the petitioner was bona fide pursuing the proceedings before this Court, thus, in case, the petitioner files an appeal within a period of one month from today then the Appellate Authority be directed not to dismiss the same solely on the ground of limitation.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is dismissed as withdrawn with liberty aforesaid.

5. In case, the petitioner files an appeal within a period of one month from today then the Appellate Authority is directed not to dismiss the same solely on the ground of limitation and would decide the same on merits.

10.08.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No