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

CM-7104-CWP-2023 in/and
CWP-7449-2023 (O&M)
Date of decision : 28.04.2023

Nanju alias Nanju Ram

...Petitioner

Versus

The Commissioner, Roopnagar Division and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sarju Puri, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab
for respondent Nos.1 and 2.

VIKAS BAHL, J. (ORAL)

CM-7104-CWP-2023 and CWP-7449-2023 (O&M)

1. This is an application filed under Section 151 of CPC for withdrawal of the main case with liberty to the petitioner to avail alternative remedy before the Financial Commissioner under the Punjab Land Reforms Act, 1972.

2. In the main writ petition, prayer has been made for issuance of a writ in the nature of certiorari for quashing the order dated 23.12.2022 (Annexure P-1) passed by respondent No.1-Commissioner, Roopnagar Division, Roopnagar.

3. On 13.04.2023, this Court had passed the following order:-

“Learned State Counsel is directed to verify as to whether the revision against the impugned order dated 23.12.2022 passed by the Commissioner is maintainable before the Financial Commissioner or not.

Adjourned to 08.05.2023.”

4. Learned counsel for the applicant-petitioner has submitted that since the petitioner has an alternative remedy before the Financial Commissioner under the Punjab Land Reforms Act, 1972, thus, he wishes to withdraw the main writ petition with liberty to approach before the Financial Commissioner, in accordance with law and thus, prays that the application be allowed and the main case be preponed from 08.05.2023 to today itself.

5. On the other hand, learned State Counsel has submitted that they have no objection in case, the present application is allowed and the date of hearing in the main case is preponed from 08.05.2023 to today itself for final disposal.

6. Keeping in view the abovesaid facts and circumstances, the date of hearing in the main case is preponed from 08.05.2023 to today and the same is taken on Board today itself for final disposal.

7. Accordingly, the present application bearing No.CM-7104-CWP-2023 is allowed and the main writ petition bearing No.CWP-7449-2023 is dismissed as withdrawn with liberty to the petitioner to avail his alternative remedy before the Financial Commissioner under the Punjab Land Reforms Act, 1972.

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

28.04.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No