

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CM-9513-CWP-2023 ;
CM-9518-CWP-2023 in/and
CWP-9588-2023
Date of decision: 31.05.2023

SACHIN BHARDWAJ AND OTHER

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Samar Pratap Singh Ahluwalia, Advocate
for the petitioners-applicant.

Mr. Saurav Verma, Addl. A.G. Punjab.

VINOD S. BHARDWAJ, J. (Oral)

CM-9513-CWP-2023

The instant application has been filed under Section 151 of the Code of Civil Procedure, 1908 for seeking pre-ponement of the date of hearing of the main case.

Learned counsel appearing on behalf of the petitioner-applicant contends that the above said case is pending before this Court for 10.07.2023. On the last date of hearing i.e. 04.05.2023, the contentions of respondents No.2 & 3 were noticed that the petitioners had also preferred an application before the PSERC. On verification, it transpired that the petitioners were in fact parties in the said application and resultantly, he has instructions to withdraw the present petition so that he may take recourse to filing an appropriate petition, as the case may be, after adjudication of the issue before the PSERC before an appropriate forum. Application in question is duly supported by the

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affidavit of the petitioner-Sachin Bhardwaj.

Notice of the application.

Mr. Saurav Verma, Addl. A.G. Punjab appears and accepts notice on behalf of respondent No.1.

The application is allowed and the main case is taken up on Board today itself.

CM-9518-CWP-2023

The above said application has been filed under Section 151 of the Code of Criminal Procedure, 1973 for seeking withdrawal of the captioned petition as the petitioners have already preferred an application before the Punjab State Electricity Regulatory Commission which is pending. Withdrawal of the present writ petition is sought so as to pursue the matter before the PSERC and to file an appropriate petition, if so advised, on the renewed cause of action before an appropriate forum.

Counsel for the respondents have no objection to the same.

The aforesaid application is also supported by an affidavit of Sachin Bhardwaj, the petitioner herein.

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In view of the above, the writ petition is disposed of as withdrawn with liberty as aforesaid.

**(VINOD S. BHARDWAJ)
JUDGE**

MAY 31, 2023

Vishal sharma

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