

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(111)

CWP-9649-2023

Date of decision: - 05.05.2023

Kuldip Chand

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Mitul Singh Rana, Advocate, for the petitioner.

Mr. Ferry Sofat, Additional Advocate General, Punjab
for respondent No.1.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Article 227 of the Constitution of India for the issuance of a writ in the nature of certiorari quashing the impugned order dated 05.12.2022 (Annexure P-1) vide which the Civil Judge (Junior Division), Mukerian, Hoshiarpur, had rejected the application filed under Order 26 Rule 9 read with Section 151 of the Code of Civil Procedure, 1908 dated 11.04.2022 (Annexure P-3).

2. In view of the judgment of Hon'ble Supreme Court in case "**Radhey Shyam** Vs. **Chhabi Nath**", ***reported as (2015) 5 SCC 423***, learned counsel for the petitioner seeks to withdraw the present writ petition with liberty to seek alternative remedy, in accordance with law.

3. In view of the above statement of learned counsel for the petitioner, the present writ petition is dismissed as withdrawn, with the aforesaid liberty.

(VIKAS BAHL)
JUDGE

May 05, 2023
naresh.k

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No