

CM-8119-CWP-2023 IN/& CWP-12699-2021 1 2023:PHHC:073859

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

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CM-8119-CWP-2023 IN/& CWP-12699-2021

Date of decision : 22.05.2023

Suman

... Petitioner

Versus

Board of School Education Haryana and another

... Respondents

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

Present: Mr.Fateh Saini, Advocate  
for the applicant-petitioner.

Mr. K.K. Gupta, Advocate  
for respondent no.1.

**VIKAS BAHL, J.(ORAL)**

**CM-8119-CWP-2023**

1. This is an application under Order 9 Rule 9 read with Section 151 CPC for restoration of the writ petition to its original number.

2. For the reasons stated in the application which is supported by an affidavit, the application is allowed and the order dated 10.03.2023 is recalled and the writ petition is ordered to be restored to its original number and stage.

**CWP-12699-2021**

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 result of JBT which shows the petitioner was disqualified for further two years and with a further prayer for quashing of reply to legal

2.            Learned counsel for the petitioner has submitted that since the period of two years has elapsed, thus, the present petition has been rendered infructuous. It is however, submitted that even after the period of two years, the respondents are not permitting the petitioner to participate in the examination. Learned counsel for the petitioner has submitted that thus, in view of the same, the petitioner be permitted to withdraw the writ petition with liberty to file a fresh petition on the subsequent cause of action.
3.            In view of the above, the present petition is dismissed as withdrawn with the aforesaid liberty.
4.            It is made clear that in case a fresh petition is filed on the subsequent cause of action, the same would be considered independently, in accordance with law.

(VIKAS BAHL)  
JUDGE

May 22, 2023  
*Davinder Kumar*

|                             |        |
|-----------------------------|--------|
| Whether speaking / reasoned | Yes/No |
| Whether reportable          | Yes/No |