

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

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CWP-12655-2023

Date of decision : 06.11.2023

Sukhraj Singh and others

... Petitioners

Versus

Sub Divisional Magistrate-cum-Presiding Officer Maintenance Tribunal and  
another

... Respondents

***CORAM: HON'BLE MR. JUSTICE VIKAS BAHL***Present: Mr.Prateek Sodhi, Advocate  
for the petitioners.

Mr.Kunal Muthreja, AAG, Punjab.

Mr. Vivek Salathia, Advocate  
for respondent no.2.**VIKAS BAHL, J.(ORAL)**

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari quashing order dated 29.03.2023 (Annexure P-6).

2. Learned counsel for respondent no.2 has pointed out that in the present case in view of the law laid down 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***, the impugned order is appealable even at the behest of the petitioners.

3. Learned counsel for the petitioners has submitted that in view of the same, he seeks to withdraw the present petition with liberty to file a statutory appeal and has submitted that since the petitioners were pursuing the present petition, thus, in case the appeal is filed within a period of one

month from today, the appellate authority be directed not to dismiss the appeal solely on the ground of limitation.

4. In view of the statement made by learned counsel for the petitioners, the present petition is dismissed as withdrawn with the aforesaid liberty. In case the petitioners file an appeal within a period of one month from today, then the appellate authority is directed not to dismiss the appeal solely on the ground of limitation.

(VIKAS BAHL)  
JUDGE

November 06, 2023.  
*Davinder Kumar*

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