

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(224 + 106)

CWP-10453-2016 (O&M)

Date of decision: - 02.05.2023

Balbir Kaur

....Petitioner

Versus

Additional Deputy Commissioner-cum-Collector, Amritsar and
others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. G.S. Nagra, Advocate
for the petitioner.

Mr. Rohit Ahuja, DAG, Punjab.

Mr. Sharad Mehra, Advocate
for respondent No.4.

VIKAS BAHL, J. (ORAL)

CM-5775-CWP-2023

This is an application under Section 151 CPC for seeking
permission to place on record the written statement on behalf of
respondent no.4.

Application is allowed, as prayed for. Written statement filed
on behalf of respondent No.4 is taken on record, subject to all just
exceptions.

CWP-10453-2016

1. This writ petition has been filed under Articles 226/227 of
the Constitution of India for quashing of order dated 29.02.2016

(Annexure P-13) and order dated 31.03.2015 (Annexure P-6) passed by respondents No.1 and 2.

2. Learned State counsel as well as learned counsel appearing on behalf of respondent No.4 have jointly submitted that the petitioner has an alternative remedy of filing a revision petition before the Financial Commissioner.

3. Learned counsel for the petitioner, in view of the above, seeks to withdraw the present writ petition with liberty to file a revision petition before the Financial Commissioner. It is prayed that since the petitioner was pursuing the present remedy, therefore, in case the petitioner files a revision petition within a period of 30 days from today, then, the Financial Commissioner be directed not to dismiss the said revision petition solely on the ground of limitation.

4. In view of the above, the present writ petition is dismissed as withdrawn, with the aforesaid liberty.

5. In case the petitioner files a revision petition within a period of 30 days from today, then, the Financial Commissioner would not dismiss the said revision petition solely on the ground of limitation.

6. Pending application, if any, stands disposed of in view of the above.

May 02, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No