

CWP No. 15922 of 2018 (O&M)

2023:PHHC:130806

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(223)

CWP No. 15922 of 2018 (O&M)

Date of Decision : 09.10.2023

Guru Partap

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Kotla, Advocate for the petitioner.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

CM-8992-CWP-2023

Present application has been filed seeking amendment in the headnote as well as in the prayer clause of the writ petition.

Learned counsel for the petitioner submits that the writ petition inadvertently has been filed seeking a writ of mandamus but in fact, the petitioner is seeking quashing/setting aside of the order dated 26.03.2018 (Annexure P-15) passed by respondent No. 2.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the necessary amendment in the headnote as well as in the prayer clause of the writ petition is allowed.

Application stands disposed of.

CWP-15922-2018

The present petition has been filed challenging the order dated 26.03.2018 (Annexure P-15), which order has been passed keeping in view the disciplinary proceedings against the petitioner.

Nothing has come on record that the petitioner has filed an appeal against the said order dated 26.03.2018 (Annexure P-15).

On being pointed out that order under challenge is appealable and the present petition is not maintainable as the petitioner has a right to file an appeal against the said order, learned counsel for the petitioner submits that petitioner is ready to file an appeal in case the same is decided on merits.

Learned State counsel submits that in case, any appeal is preferred by the petitioner, the same will be decided on merits by passing an appropriate speaking order within a period of eight weeks of the receipt of any such appeal.

Learned counsel for the petitioner submits that keeping in view the said statement of learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to file an appeal against the order dated 26.03.2018 (Annexure P-15).

Ordered accordingly.

October 09, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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