

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

CWP-19800-2019

Date of decision: 11.09.2023

Harinder Pal Singh Banga

...Petitioner

Versus

District Magistrate-cum-Appellate Tribunal and another

...Respondents

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

Present: Mr. Rajeev Anand, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab, for respondent No.1.

Mr. Jasraj Singh, Advocate for respondent No.2.

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

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 order dated 18.06.2019 (Annexure P-6) passed by the District Magistrate-cum-Appellate Tribunal, Hoshiarpur under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

2. Learned counsel for respondent No.2 has pointed out that in the present case, an interim order in favour of the petitioner had been passed on 17.10.2019 and prior to the same, a civil suit was filed by the petitioner on 31.07.2019 and this fact was not disclosed before the Coordinate Bench of this Court at the time of grant of stay and the petitioner cannot be permitted to pursue two remedies at the same time. It is further submitted that although, the civil suit has been withdrawn but neither any liberty has been granted to pursue the present writ petition nor the same has been dismissed either on the ground of jurisdiction or on the ground of formal defect.

3. In view of same, learned counsel for the petitioner seeks permission of this Court to withdraw the present Civil Writ Petition.

4. Accordingly, the present Civil Writ Petition is dismissed as withdrawn.

**11.09.2023***Pawan***(VIKAS BAHL)  
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**