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

CWP-18961-2017

Date of decision : 04.05.2023

Dharmender

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: None for the petitioner.

Mr. Rajneesh Chadwal, AAG, Haryana
for respondent Nos.1 to 3.

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, order or direction especially in the nature of mandamus directing respondent Nos.2 and 3 to take appropriate action/inquiry on the complaint dated 27.12.2016 filed by the petitioner.

2. Learned State Counsel has pointed out that in the present case, while issuing notice of motion on 19.09.2017, learned counsel for the petitioner had submitted before Coordinate Bench of this Court that he was ready to deposit an amount of Rs.1 lac as costs before the BDPO and in case, it had been found that respondent No.4 had not committed any malfeasance then the said amount deposited by him with the BDPO be

forfeited.

3. Learned State Counsel has further referred to order dated 21.03.2022 passed by the Coordinate Bench of this Court which is reproduced hereinbelow:-

“Learned counsel for the respondents submit that the petition deserves to be dismissed as sum of Rs. 1,00,000/- ordered to be deposited vide order dated 19.09.2017 has not been deposited.

In the interest of justice, adjourned to 02.11.2022.

Sd/- (SUDHIR MITTAL)

JUDGE

March 21, 2022”

4. Learned State Counsel has also submitted that the present writ petition deserves to be dismissed on account of non-deposit of abovesaid costs of Rs.1 lac.

5. Today, no one has put in appearance on behalf of the petitioner in order to rebut the said arguments of learned State Counsel. No one had appeared on 21.03.2022 also.

6. Accordingly, the present Civil Writ Petition is dismissed for non-prosecution.

7. In case, the petitioner wishes to revive the present writ petition, then he may do so after depositing an amount of Rs.1 lac and in case, any cause survives to the petitioner.

04.05.2023

Pawan

(VIKAS BAHL)

JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No