

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-23697-2016

Date of decision : 05.05.2023

Ram Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.S.S.Swaich, Advocate
for the petitioner.

Mr.Ferry Sofat, Addl.A.G. Punjab
for respondents no.1 to 3.

Mr.Ripudaman Singh, Sidhu, Advocate
for respondent no.4.

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 impugned order dated 02.08.2012 (Annexure P-6) passed by the Assistant Collector Ist Grade, S.A.S. Nagar (Mohali).

2. Learned counsel appearing for the State as well as the private respondent have submitted that the order passed by the Assistant Collector Ist Grade is appealable before the Collector and the present petition has been filed challenging the order of the Assistant Collector Ist Grade.

3. Learned counsel for the petitioner has submitted that in view of the above, the petitioner be permitted to withdraw the present petition with liberty to file an appeal before the Collector. It is submitted that since the

petitioner files an appeal within a period of one month from today, then the Collector be directed not to dismiss the same solely on the ground of limitation.

4. Learned counsel for respondent no.4 has submitted that he has no objection to the said course of action.

5. Keeping in view the above said facts and circumstances, the present petition is dismissed as withdrawn with liberty to file an appeal against the impugned order before the Collector. In case the appeal is filed by the petitioner within a period of one month from today, then the Collector is directed not to dismiss the same solely on the ground of limitation.

6. It is made clear that this Court has not opined on the merits of the case and the Collector would decide the appeal after hearing the parties, in accordance with law.

(VIKAS BAHL)
JUDGE

May 05, 2023
Davinder Kumar

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