

CWP- 24745-2016

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2023:PHHC:043123

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP- 24745-2016

Date of decision : 23.03.2023

Kabool Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Gopal Sharma, Advocate
for the petitioner.

Ms.Upasana Dhawan, AAG, Haryana
for respondents no.1 and 2.

Ms.Shaveta Sanghi, Advocate
for respondents no.3 to 5.

VIKAS BAHL, J.(ORAL)

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 setting aside the order dated 15.07.2014 passed by respondent no.2 whereby the application for restoration of the case has been rejected.

Learned counsel for respondents no.3 to 5 has pointed out that the impugned order Annexure P-9 has been passed by the SDO (Civil) Exercising Power of Allotment/ Prescribed Authority, Rewari and an appeal against the said order lies under Section 18 of the Haryana Ceiling on Land Holding Act, 1972 (in short “the Act”) and the said fact has not been disclosed in the present writ petition.

Learned counsel for the petitioner, in view of the same, has

submitted that the petitioner be permitted to withdraw the present petition

with liberty to file an appeal under Section 18 of the Act. It is submitted that the petitioner has been pursuing his remedy before this Court and thus, delay in filing the appeal be condoned.

Learned counsel for respondents no.3 to 5 has opposed the same.

Keeping in view the above said facts and circumstances, the present petition is dismissed as withdrawn with liberty to the petitioner to file an appeal under Section 18 of the Act.

It would be open to the petitioner to move an application for condonation of delay by giving the details for the same and the said application and the appeal be decided, in accordance with law.

(VIKAS BAHL)
JUDGE

March 23, 2023
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No