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

CM-9876-CWP-2023 in/and
CWP-21501-2018 (O&M)
Date of decision: 03.07.2023

Gram Panchayat Rupalon

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. V.K. Sandhir, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab
for respondent Nos.1 to 7.

VIKAS BAHL, J. (ORAL)

CM-9876-CWP-2023

1. This is an application filed under Order 9 Rule 4 read with Section 151 CPC for restoration of the case and recalling of order dated 01.05.2023.
2. For the reasons stated in the application which is duly supported by an affidavit, the present application is allowed and order dated 01.05.2023 is recalled and the main case is restored to its original number.
3. With the consent of the parties, the main case is taken up today for its final disposal

Main case

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 mandamus restraining respondent Nos.6 and 7 from initiating any inquiry against the petitioner.

2. Faced with the fact that the pleas raised in the present writ petition on the aspect of initiation of a vigilance inquiry contrary to guidelines/instructions issued by the State, already stand decided against the petitioner by the Hon'ble Division Bench of this Court in CWP-22426-2016 decided on 14.12.2016 as well as by the Coordinate Bench of this Court in CRM-M-41977-2015 decided on 08.11.2016, learned counsel for the petitioner has submitted that there are some additional pleas including non-compliance of Section 17-A of the Prevention of Corruption Act, 1988, which the petitioner has not taken in the present writ petition but seeks to take, thus, prays that he be permitted to withdraw the present writ petition with liberty to file a fresh petition after raising the plea of Section 17-A of the Prevention of Corruption Act, 1988.

3. In view of the above, the present Civil Writ Petition is dismissed as withdrawn with liberty aforesaid.

4. It is made clear that in case, any such petition is filed, the same would be considered independently, on its merits, in accordance with law.

5. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

03.07.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No