

CWP-25938-2018

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-25938-2018

Date of Decision: 13.12.2023

Sukhbir Singh

...Petitioner

Versus

SBI Life Insurance Co. and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Inder Pal Goyat, Advocate for the petitioner

Mr. Rajneesh Malhotra, Advocate for the respondents

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 27.04.2016 (Annexure P-4) whereby petitioner was relieved from service.

2. Learned counsel for the respondents, at the outset, places reliance upon judgment of Hon'ble Supreme Court in *State of Orissa and Another v. Laxmi Narayan Das (Dead) thr. LRs & Ors, 2023 LiveLaw (SC) 527*, wherein it has been held that writ petition is not maintainable where civil suit for the same relief has been withdrawn without liberty.

3. On being confronted with aforesaid judgment, learned counsel for the petitioner expressed his inability to controvert the same.

4. In the case in hand, the petitioner admittedly filed civil suit for the same relief as is claimed in the present petition. The civil suit was

withdrawn. The case of the petitioner is squarely covered by recent judgment of Hon’ble Supreme Court in *Laxmi Narayan Das (supra)*.

5. In the light of judgment of Hon’ble Supreme Court in *Laxmi Narayan Das (supra)*, this Court is of the considered opinion that present petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

13.12.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>