

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.107

LPA-756-2022

Date of decision: 16.11.2023

Iklash Ahmed

....Appellant

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

Present: Mr. Divyam Singh, Advocate for
Mr. Vikram Singh, Advocate, for the applicant-appellant.

Ms. Tanisha Peshawaria, DAG, Haryana.

* * *

DEEPAK SIBAL, J. (Oral)

1. Through the present intra-court appeal challenge has been made to the order dated 30.03.2022 passed by a learned Single Judge of this Court dismissing the appellant's writ petition for want of prosecution. Also under challenge is the order of the learned Single Judge dated 08.07.2022 dismissing an application filed by the appellant seeking therein restoration of his writ petition.

2. Learned counsel for the appellant contends that his non-appearance leading to the dismissal of the appellant's writ petition on 30.03.2022 was unintentional and that if granted another opportunity he would not only appear before the learned Single Judge but also argue the case on his client's behalf. It is further submitted that the application seeking restoration of the case was duly filed but the same was also wrongly dismissed by the learned Single Judge.

3. Learned counsel for the parties have been heard and with their able assistance the record of the case has also been perused.

4. After perusing the record, non-appearance of the learned counsel of the appellant leading to the dismissal of the appellant's writ petition for non-prosecution is found to be unintentional.
5. In the light of the above and because all that the appellant seeks is a decision on his writ petition, on merits, the impugned orders are set aside and the appellant's writ petition is directed to be listed as per roster to be decided on its merits.
6. Disposed of.

(DEEPAK SIBAL)
JUDGE

(SUKHVINDER KAUR)
JUDGE

November 16, 2023
Jyoti 1

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