

CM Nos.2742 to 2744-CWP-2022 in/and
CWP-28250-2018 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(104+267)

CM Nos.2742 to 2744-CWP-2022 in/and
CWP-28250-2018 (O&M)
Date of decision: - 18.01.2023

Akbar Ali

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Aseem Kaushal, Advocate
for Mr. Manoj K. Sood, Advocate
for the petitioner.

Mr. Rajneesh Chadwal, AAG, Haryana.

Mr. Ravi Malik, Advocate
for Mr. S.K. Panwar, Advocate
for the applicant.

Mr. G. N. Malik, Advocate
for respondents No.2 and 3.

VIKAS BAHL, J. (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondent to extend the lease of land of the petitioner which was granted vide letter dated 24.05.2012 (Annexure P-1) and others reliefs have also been prayed for.

On 15.02.2019, a Co-ordinate Bench of this Court was pleased to pass the following order: -

“It has been brought to the notice of the Court that the Tribunal, which has been constituted as per Section 83 of the Wakf Act, 1995, is not functional because of lack of quorum as the third

Member of the Tribunal has not been appointed as yet after the expiry of the term of one of the Members.

Counsel for the State shall seek instructions with regard to the appointment of the third Member of the Tribunal.

List on 27.02.2019.

Interim order to continue till the next date of hearing.

To be shown in urgent list.

February 15, 2019 **(AUGUSTINE GEORGE MASIH)**
JUDGE”

Learned counsel for the parties are *ad idem* that now the Wakf Tribunal has been duly constituted under the Wakf Act, 1995 and the present petitioner has a remedy to approach the said Wakf Tribunal for the redressal of his grievance.

Learned counsel for the petitioner has submitted that the petitioner be permitted to withdraw the present petition with liberty to approach the Wakf Tribunal for the redressal of his grievance.

In view of the above, the present petition is dismissed as withdrawn, with the aforesaid liberty.

Pending applications, if any, stand disposed of in view of the aforesaid order.

January 18, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No