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

CM-3803-CWP-2023 in/and
CWP-21998-2021 (O&M)
Date of decision : 10.03.2023

Gehal Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Manish Joshi, Advocate for the petitioners.

Mr. Ferry Sofat, Addl. A.G. Punjab,
for respondent Nos.1 to 3 and 5.

VIKAS BAHL, J. (ORAL)

CM-3803-CWP-2023

This is an application filed under Order 9 Rule 9 read with Articles 226/227 of the Constitution of India for restoration of the case and recalling of order dated 01.02.2023.

For the reasons stated in the application which is duly supported by an affidavit, the present application is allowed and order dated 01.02.2023 is recalled and the main case is restored to its original number.

Main case

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

quashing of impugned order dated 12.03.2021 passed by respondent No.2-Director, Rural Development and Panchayat Department, Punjab, vide which, the appeal under Section 9 of the Punjab Public Premises and Land (Eviction and Rent Recovery) Act, 1973 (hereinafter to be referred as “the Act of 1973”) filed by the petitioners has been dismissed. Challenge has also been made to the order dated 04.06.2021.

Learned counsel for the petitioners has submitted that the petitioners were not made party to the application filed under Sections 3, 5 and 7 of the Act of 1973 and thus, they seek permission of this Court to withdraw the present Civil Writ Petition with liberty to file a civil suit.

In view of the above, the present Civil Writ Petition is dismissed as withdrawn with liberty aforesaid.

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

10.03.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No