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

**CWP-19397-2023
Date of Decision: 05.09.2023**

Member Secretary, Sukhmani Society-cum-Additional Deputy
Commissioner (Development), District Ludhiana

....Petitioner

Versus

Karamjit Kaur and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Shekhar Verma, Advocate and
Mr. Aneeshh Chopra, Advocate
for the petitioner.

HARSH BUNGER, J. (Oral)

Prayer in the present petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of Certiorari for setting aside of the *ex-parte* award dated 04.01.2022 (Annexure P-12) passed by respondent No.3-learned Industrial Tribunal, Ludhiana in Reference No.28 of 2017 titled as “Karamjit Kaur Vs. Member Secretary, Sukhmani Society-cum-Additional Deputy Commissioner (Development), District Ludhiana and another”.

2. At the very outset, learned counsel for the petitioner fairly submits that at the first instance, the petitioner should have filed an application before the concerned Tribunal for setting aside of the *ex-parte*

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award dated 04.01.2022 in terms of the judgment rendered by the Hon’ble Supreme Court in the case of *M/S Haryana Suraj Malting Ltd. Vs. Phool Chand, Civil Appeal No.5650 of 2018, 2018 AIR (Supreme Court) 2670*. Accordingly, learned counsel for the petitioner prays that he may be permitted to withdraw the instant petition with liberty to avail his remedy before the concerned Tribunal by moving an appropriate application for setting aside the *ex-parte* award dated 04.01.2022 in terms of judgment rendered in M/S Haryana Suraj Malting (Supra).

3. In view of the above, present petition is dismissed as withdrawn with the liberty aforesaid.
4. All pending application(s), if any, shall stands closed.

05.09.2023
Himani

(HARSH BUNGER)
JUDGE

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