

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-24201-2022

Date of decision : 09.08.2023

Rajinder Singh and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHLPresent: Mr.G.C. Shahpuri, Advocate
for the petitioners.Ms.Palika Monga, DAG, Haryana
for respondents no.1 and 2.Mr.Himmat Singh, Advocate
for respondent no.3.**VIKAS BAHL, J.(ORAL)**

1. This is a civil writ petition filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of certiorari for quashing the impugned order dated 28.09.2022 (Annexure P-8) passed by respondent no.2 whereby transfer deed got executed by respondent no.3 in favour of petitioner no.1 and respondent no.4 in equal share has been ordered to be cancelled.

2. Learned State counsel as well as private respondent has submitted that in view of the judgment passed by the Hon'ble Division Bench of this Court in ***Paramjit Kumar Saroya Vs. Union of India and another***, reported as ***2016(3) RCR (Civil) 146***, an appeal is maintainable against the order dated 28.09.2022 (Annexure P-8) before the appellate

3. Learned counsel for the petitioners has submitted that in view of the same, the petitioners seek to withdraw the present petition with liberty to file a statutory appeal, in accordance with law. It is prayed that since the petitioners were pursuing the present petition, thus, in case they file an appeal within a period of one month from today, the appellate authority be directed not to dismiss the same solely on the ground of limitation.

4. In view of the statement made by learned counsel for the petitioners, the present petition is dismissed as withdrawn with the aforesaid liberty. In case the petitioners file an appeal within a period of one month from today, the appellate authority is directed not to dismiss the same solely on the ground of limitation.

(VIKAS BAHL)
JUDGE

August 09, 2023
Davinder Kumar

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