

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-24825-2022

Date of decision : 23.11.2023

Sadhu Ram

... Petitioner

Versus

Sub Divisional Magistrate-cum-Presiding Officer Maintenance Tribunal and
another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHLPresent: Mr.Suman Saharan, Advocate for
Mr.Saurabh Bajaj, Advocate
for the petitioner.

Mr.Amandeep Joshi, DAG, Haryana.

Mr. Rahul Rana, Advocate for
Mr. Naveen Kashyap, Advocate
for respondent no.2.**VIKAS BAHL, J.(ORAL)**

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari quashing order dated 26.10.2021 (Annexure P-1) passed by the Sub Divisional Magistrate and Chairman, Senior Citizen Maintenance Tribunal, Panipat.

2. Learned State counsel has pointed out that in the present case in view of the law laid down 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***, against the impugned order, an appeal would lie.

3. Learned counsel for the petitioner has submitted that in view of the same, she seeks to withdraw the present petition with liberty to file a

statutory appeal and has submitted that since the petitioner was pursuing the present petition, thus, in case the appeal is filed within a period of one month from today, the appellate authority be directed not to dismiss the appeal solely on the ground of limitation.

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 In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.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

(VIKAS BAHL)
JUDGE

November 23, 2023.
Davinder Kumar

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