

CM-17745-CWP-2023
CM-17767-CWP-2023
in/and CWP-40383-2018

-1-

101

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

CM-17745-CWP-2023
CM-17767-CWP-2023
in/and CWP-40383-2018
Date of Decision: 17.10.2023

Ashish Nath Duggal

....Petitioner

Versus

Presiding Officer, Lok Adalat, Chandigarh and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Amit Sharma, Advocate
for the applicant/petitioner.

HARSH BUNGER, J. (Oral)

CM-17745-CWP-2023

This is an application filed under Section 5 of the Indian Limitation Act for condonation of delay of 11 days in filing the application of restoration of the main case (*CWP-40383-2018*) to its original number, which was dismissed for non-prosecution on 24.08.2023.

For the reasons mentioned in the application, the same is

CM-17745-CWP-2023
CM-17767-CWP-2023
in/and CWP-40383-2018

-2-

allowed as prayed for and the delay of 11 days in filing the application of restoration of the main case (**CWP-40383-2018**) to its original number is condoned.

Civil Misc. Application stands disposed of.

CM-17767-CWP-2023

This is an application filed under Order 9 Rule 9 read with Section 151 of the Code of Civil Procedure is for restoration of the main case (**CWP-40383-2023**), which has been dismissed for non-prosecution on 24.08.2023.

For the reasons mentioned in the application, the same is allowed and the main case (**CWP-40383-2023**) is restored to its original number and status.

The main case is taken on board today itself.

CWP-40383-2018

1. Prayer in the present Writ 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 the impugned order dated 11.02.2017 (Annexure P-2) passed by learned Lok Adalat, Chandigarh, whereby the offence under Section 138 of the Negotiable Instruments Act was compounded and the judgment of conviction and order on quantum of sentence dated 07.09.2016 (Annexure P-1) were set aside.

2. Learned counsel for the petitioner prays that he may be permitted to withdraw the present Writ Petition with liberty to the petitioner to avail his other remedies available under the law.

3. In view of the above submission made by learned counsel for

CM-17745-CWP-2023
CM-17767-CWP-2023
in/and CWP-40383-2018

-3-

the petitioner, the present petition is dismissed as withdrawn with the liberty aforesaid.

4. All pending application(s), if any, shall also stands closed.

17.10.2023
Himani

(HARSH BUNGER)
JUDGE

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