

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

CWP-26581-2023

Date of decision : 28.11.2023

Deen Mohammad

.....Petitioner

versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Vikram Singh, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for setting aside the order dated 04.11.2023 (Annexure P-2) passed by respondent No.2 being wrong, illegal and against the principle of natural justice.

It has been contended by counsel for the petitioner that the impugned order has been based on a false and frivolous allegations that the petitioner has not produced the record. It has been contended by counsel for the petitioner that no show cause notice was issued to the petitioner. However, he fairly submits that petitioner has the remedy of filing the appeal which would be filed within a week from today.

Notice of motion.

On asking of the Court, Ms. Upasana Dhawan, AAG, Haryana accepts notice on behalf of the State. Mr. Neeraj Kumar, Advocate accepts notice on behalf of respondent No.4.

Learned State counsel has submitted that the petition is not maintainable as the petitioner has the remedy of filing the appeal.

Heard. In view of the above, present petition is disposed of with liberty to the petitioner to file the appeal as prayed by him and pursue the same as in accordance with law. If the appeal is filed within seven days as undertaken by the petitioner, the impugned order dated 04.11.2023 would remain stayed till then i.e. till the date of filing of appeal. However, thereafter, the Appellate Authority would proceed with the case in accordance with law.

28.11.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No