



CWP-950-2020 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-950-2020 (O&M)
Date of Decision: 23.05.2024

Kanwar Singh

..... Petitioner

Versus

Dakshin Haryana Bijli Vitran and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. R.S. Chahal, Advocate for
Mr. Arjun Lakhanpal, Advocate,
for the petitioner.

Mr. Padamkant Dwivedi, Advocate,
for the respondents.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the impugned order dated 29.08.2019 (Annexure P-8) vide which the petitioner was dismissed from service and further directing the respondents to reinstate the petitioner in service with all consequential benefits.

2. Mr. Padamkant Dwivedi, learned counsel for the respondents stated that after the aforesaid order of dismissal was passed, the petitioner had a statutory remedy of appeal which he did not avail. He further submitted that he has sought specific instructions from the respondents to state that in case the petitioner files an appeal, then the point of limitation will



not come into play and the appeal, if any, is filed, then the same will be decided on merits.

3. Learned counsel appearing on behalf of the petitioner stated that in view of the aforesaid position, he may be permitted to withdraw the present petition in order to enable the petitioner to avail alternate remedy of filing an appeal in accordance with law. He also submitted that a direction may be issued to the Appellate Authority to decide the appeal as expeditiously as possible.

4. In view of the aforesaid position and specific statement made by the learned counsel for the respondents, the present petition is dismissed as withdrawn with liberty to the petitioner to file an appeal against the impugned order dated 29.08.2019 (Annexure P-8).

5. Needless to say that in case any appeal is filed then the same shall be decided by the Appellate Authority as expeditiously as possible.

23.05.2024

(JASGURPREET SINGH PURI)
JUDGE

Bhumika

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |