

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-1366-2024

Date of decision : 22.01.2024

Rubina Vyas @ Rubina Joshi

... Petitioner

Versus

State of U.T. Chandigarh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Petitioner in person.

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 for setting aside the order dated 05.12.2023 (Annexure P-4) passed by the Additional Deputy Commissioner and the order dated 16.08.2019 (Annexure P-1).

2. The petitioner appearing in person has submitted that she has filed an application (Annexure P-3) for restoration of the appeal, which was dismissed in default on 17.07.2023 and has submitted that the said application has been listed for 24.01.2024. It is further submitted that in the said application, notice has already been issued to respondent no.5 and has submitted that at this stage, the petitioner would be satisfied in case the Appellate Tribunal-respondent no.3 is directed to consider and decide the said application (Annexure P-3) as expeditiously as possible, preferably on 24.01.2024 or within a period of one week therefrom.

3. Keeping in view the above said facts and circumstances and the

limited prayer made by the petitioner appearing in person, the present writ petition is disposed of with a direction to the Appellate Tribunal-respondent no.3 to consider and decide the application (Annexure P-3) in case the notice has already been served on the contesting respondent no.5 of the said application on 24.01.2024 or within a period of one week from 24.01.2024. In case the notice has not been served upon respondent no.5, in the said situation also, the Appellate Tribunal is directed to decide the application (Annexure P-3) as expeditiously as possible.

4. It is relevant to note that this Court has not opined on the merits of the case and the said application be considered, in accordance with law.

(VIKAS BAHL)
JUDGE

January 22, 2024.
Davinder Kumar

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