

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-3868-2023 (O&M)
Date of decision : 15.03.2024

Joginder SinghPetitioner

V/S

State of Punjab and othersRespondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Rabinder Singh, Advocate for the petitioner.

Ms. Arundhati Kulshreshtha, A.A.G., Punjab.

Mr. Naginder Singh Vashist, Advocate for respondent No.3.

Mr. Iqbal Singh Saggu, Advocate with
Mr. Tejveer Singh Saggu, Advocate for respondent No.4.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant writ petition under Article 226 of the Constitution of India seeking a writ of certiorari for quashing the notice of recovery dated 17.01.2023 (Annexure P-6), whereby a sum of Rs.3,10,455/- has been ordered to be recovered from the petitioner.
2. Short reply, on behalf of respondents No.1 and 2 has been filed in the Court which is taken on record and copy thereof has been supplied to learned counsel for the petitioner.
3. Learned counsel for the respondents have taken a preliminary objection that the said order is an appealable order.
4. Learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to file an appeal

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against the order of recovery and the appeal shall be filed within a period of two weeks from today which may be considered on merits without raising the issue of delay as the said order has been challenged by the petitioner before this Court.

5. Learned counsel for the respondents submits that if any, such appeal is preferred by the petitioner within a period of 02 weeks, they shall not take any objection with regard to the delay and the same shall be considered and decided on merits.

6. Dismissed as withdrawn with liberty as aforesaid.

7. Pending applications, if any, shall stands disposed of accordingly.

15.03.2024 (NAMIT KUMAR)
kothiyal JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No