

2024:PHHC:088731



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

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**CWP-15776-2024
Date of Decision: 12.07.2024**

DEEPAK KUMAR

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Shilak Ram Hooda, Advocate for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The present petition has been filed by the petitioner being aggrieved of the directions issued by the respondent-Authorities vide impugned orders dated 23.04.2024 and 03.05.2024, whereby the petitioner has been asked to remove the kiosk (khokha) from the Tehsil Complex, Kharkhoda within 24 hours.

Learned counsel for the petitioner contends that the abovesaid action of the respondent-Authorities is in violation of the order passed by the Division Bench in CWP-25417-2017, which was listed on 08.07.2024.

The grievance of the petitioner relates to the rights which he claims through the Division Bench order and asserts that the same is being diluted by the officials of the respondent-Authorities. I feel that the present writ petition has an independent cause of action and thus would not be maintainable before this Bench. Since the Division Bench is already seized of the matter, the appropriate course of action available to the petitioner would be to approach the Division Bench by means of an appropriate application/petition.

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Faced with the above, counsel for the petitioner seeks withdrawal of the present writ petition so as to move an appropriate application/petition before the Division Bench concerned.

Disposed of as withdrawn with the liberty as aforesaid.

JULY 12, 2024
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(VINOD S. BHARDWAJ)
JUDGE

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