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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19834-2024
Date of Decision: 14.08.2024

MUKHTIAR SINGH THROUGH LR AND OTHERS
.....PETITIONER

Vs.

STATE OF PUNJAB AND OTHERS
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present:- Mr. Rashpinder Singh Sohi, Advocate
for the petitioner.

Mr. Rajesh Bhatheja, Advocate
for respondent Nos.4 and 5.

HARSH BUNGER J. (ORAL)

1. The instant writ petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of *certiorari* for setting aside the order dated 15.02.2024 (Annexure P-4) passed by respondent No.2, whereby the main case bearing ROR No.371 of 2018 was dismissed in default and order dated 23.05.2024 (Annexure P-5) passed by respondent No.2, whereby the application for restoration of ROR No.371 of 2018 has also been dismissed for want of prosecution. A further prayer has been made to direct the official respondent to restore the main case and in meanwhile to stay the possession notice dated 05.06.2024 (Annexure P-3) issued by respondent No.3.
2. Mr. Anshul Sharma, Advocate appears and files Memorandum of Appearance on behalf of respondents No.17 to 20 in Court today, which is taken on record.

3. Learned counsel for the petitioner, at the outset, submits that he may be permitted to withdraw the present writ petition with liberty to approach the learned Financial Commissioner by filing an application seeking restoration of the application filed by petitioners for restoration of main case which was dismissed for want of prosecution.
4. Keeping in view the aforesaid submission made by learned counsel for the petitioners, the present writ petition is dismissed as withdrawn, however with the liberty to the petitioners to approach the Financial Commissioner by moving an appropriate application seeking restoration of application (Miscellaneous No.43 of 2024 in ROR No. 371 of 2018) filed by petitioners for restoration of main case, which application was dismissed for want of prosecution on 23.05.2024 (Annexure P-5). In case any such application is filed, the Financial Commissioner shall decide the same by passing a speaking order within a period of three weeks of filing of the application.
5. All pending application(s), if any, shall also stand closed.

August 14, 2024
Pd

(HARSH BUNGER)
JUDGE

Whether Speaking
Whether reportable

Yes/No
Yes/No