

CWP-27811-2019(O&M)

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2024:PHHC:034895

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-27811-2019(O&M)

Date of decision : 12.03.2024

Sunita

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Yowan Sharma, Advocate
for the applicant-petitioner.

VIKAS BAHL, J.(ORAL)

CM-3598-CWP-2024

1. This is an application under Section 151 CPC for recalling the order dated 08.12.2023.
2. Learned counsel for the applicant-petitioner has submitted that the order dated 08.12.2023 be recalled as the applicant-petitioner seeks to withdraw the writ petition with liberty to seek alternative remedy including a suit for possession, in accordance with law.
3. In view of the above, the application is allowed and the order dated 08.12.2023 is recalled and the main writ petition is ordered to be restored to its original number.

CWP-27811-2019

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside the order dated 28.11.2018 (Annexure P-3) passed by

respondent no.2 whereby the eviction order has been passed against the petitioner.

2. Learned counsel for the petitioner has submitted that the petitioner was dispossessed in pursuance of the impugned order passed in the present case and seeks to withdraw the present petition with liberty to seek alternative remedy including a suit for possession, in accordance with law.

3. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

4. It is made clear that in case any such suit or alternative remedy is pursued by the petitioner, then it would be open to the petitioner as well as private respondents to raise all pleas, in accordance with law and this Court has not opined on the merits of maintainability of the said suit / alternative remedy.

(VIKAS BAHL)
JUDGE

March 12, 2024
Davinder Kumar

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