

CWP-22490-2022 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107+274

CWP-22490-2022 (O&M)

Decided on : 21.02.2024

Prince Sharma

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Deepanshu Mehta, Advocate
for the petitioner(s).

Mr. Kulraj Rai, Sr. DAG, Punjab.

Mr. Ashwani Talwar, Advocate
for respondents No.6 & 7.

SANJAY VASHISTH, J. (Oral)

1. Petitioner – Prince Sharma, through present writ, has prayed for issuance of a writ in the nature of *Certiorari*, to quash the order dated 26.07.2022 (Annexure P-2), conveyed through letter dated 17.08.2022, passed by respondent No.2 i.e. Principle Secretary, Department of Industries & Commerce, Govt. of Punjab, whereby, the order passed by learned Director of Industries, Punjab (respondent No.3), has been reversed and private Company has been granted the permission to lift three Injection Moulding machines along with its supporting machines.

2. Court is informed that by challenging the same order, one Sameer Sharma, filed CWP-20680-2022, which was dismissed by the Hon'ble Single Bench of this Court (Punjab and Haryana High Court), and thereafter, the order of dismissal was challenged by way of LPA-822-2022, which was later on withdrawn by the appellant therein, vide order dated

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19.10.2023.

3. Besides, on previous date of hearing i.e. on 09.10.2023, when present writ petition was listed before the Hon'ble Division Bench, following order was passed:-

***“CM-16738-CWP-2023 in/and
CWP-22490-2022***

PRINCE SHARMA V/S STATE OF PUNJAB & ORS.

*Present: Mr. Deepanshu Mehta, Advocate for the
applicant/petitioner.*

Mr. Ramandeep Singh Pandher, Sr. DAG, Punjab.

*Mr. Ashwani Talwar, Advocate for respondents
No.6 & 7.*

** * **

*On 28.09.2022, a learned Single Judge of this
Court had passed the following order :-*

*“Learned counsel for the petitioner has
pointed out that against an order passed by this
Bench, regarding transfer of some machines, an
LPA No.822 of 2022 is already pending before the
Division Bench. This writ petition is also
connected to the said matter directly. Hence, this
petition deserves to be heard by the same Division
Bench.*

*In view of the above fact, let the matter be
placed before the same Division Bench.”*

*In view of the above order, this petition was listed
before a Division Bench. However, LPA No.822 of 2022 stands
withdrawn. Therefore, after obtaining appropriate orders
from Hon'ble the Chief Justice, let this petition be listed on
10.10.2023 before a learned Single Judge, as per roster.*

*(DEEPAK SIBAL)
JUDGE*

09.10.2023

*(SUKHVINDER KAUR)
JUDGE”*

4. Thus, in view of above, there is no dispute that order of dismissal passed by Hon'ble Single Bench in CWP-20680-2022, has attained finality.

5. In the backdrop of circumstances, explained and recorded here-above, counsel for the petitioner seeks withdrawal of the present writ petition. However, he seeks liberty to take appropriate recourse, as may be available to him under the law.

6. Dismissed as withdrawn, with liberty as stated and recorded here-above.

Needless to say that nothing has been observed or decided in the present writ petition on merits while disposing of the same.

Pending civil misc. application(s), if any, are also disposed of accordingly.

(SANJAY VASHISTH)
JUDGE

February 21, 2024

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*