

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.248

LPA-1215-2023 (O&M)

Date of decision : 08.02.2024

Deshraj

..... Appellant

*Versus*

State of Haryana and others

..... Respondents

CORAM :    HON'BLE MR. JUSTICE DEEPAK SIBAL  
                  HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present :     Mr.Divyam Singh, Advocate, for the appellant.

                  Mr.Dushyant Saharan, AAG, Haryana.

\* \* \* \* \*

DEEPAK SIBAL, J. (Oral)

1.            Learned counsel for the appellant contends that on 06.12.2022, after a statement had been made on behalf of the State that an amendment to the Haryana Panchayati Raj Act, 1994 will shortly be made, the appellant's writ petition was disposed of by the learned Single Judge as infructuous. However, since there was no clarity with regard to the fate of the impugned orders against the appellant through which recovery had been sought to be made from him, an application was filed by the appellant before the learned Single Judge seeking therein clarification of the order dated 06.12.2022. The application was dismissed by the learned Single Judge through his order dated 17.08.2023 occasioning the filing of the present intra court appeal to challenge therein both the aforesaid orders dated 06.12.2022 and 17.08.2023.

2.            Learned counsel for the appellant further submits that the learned Single Judge who had passed the order dated 17.08.2023, has, through order dated 05.02.2024 granted relief to an identically placed person as the appellant whose petition had also been disposed of as infructuous on 06.12.2022.

3.            In the light of the above subsequent event which took place on 05.02.2024 learned counsel for the appellant seeks withdrawal of the instant appeal to seek review of the order dated 17.08.2023.

4. Dismissed as withdrawn with liberty as prayed for.
5. It is clarified that in case the review application, the liberty of which has been sought and got through the instant order, is filed and is rejected by the learned Single Judge, it shall not preclude the appellant to challenge the impugned judgment and such rejection, in accordance with law.

[DEEPAK SIBAL]  
JUDGE

08.02.2024  
shamsher

[DEEPAK MANCHANDA]  
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No