

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

202

CWP-755-2020 (O&M)

Date of decision : 07.11.2024

Vijay Kumar

.....Petitioner

VERSUS

State of Haryana and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Devinder Kumar, Advocate for the petitioner.

Mr. Randhir Singh, Addl. AG, Haryana
for respondents No. 1 to 3.

Mr. Ankur Lal, Advocate for respondent No.4.

HARSH BUNGER, J. (ORAL)

1. Prayer in the present petition filed under Articles 226/227 of the Constitution of India, *inter alia*, seeking a writ in the nature of *Certiorari* for setting aside the impugned order dated 04.12.2019 (Annexure P-3), passed by learned Assistant Collector 1st Grade-cum-Sub Divisional Officer, Hathin.

2. Learned counsel for the petitioner submits that vide notification dated 28.12.2022, the Haryana Government has amended the Haryana Chowkidara (Watchmen) Rules, 2013 (for short 'the 2013 Rules'); whereby Rule 7 (A) has been inserted after Rule 7, which provides for an appeal against the order passed by the Deputy Commissioner.

3. Rule 7 (A) of the 2013 Rules would read as under:

“7(A) Appeal against order of Deputy Commissioner-A person aggrieved by an order passed by the Deputy Commissioner under rule 7 may within a period of Thirty days from the date of such order, prefer an appeal to the Commissioner. The Commissioner may after bearing the appeal, confirm, vary or reverse the order. The decision of the Commissioner shall be final”.

4. Learned counsel for the petitioner prays that he may be permitted to withdraw the instant petition with liberty to the petitioner to avail his remedy of appeal, as provided under Rule 7 (A) of the 2013 Rules.
5. Ordered accordingly.
6. Petitioner would be entitled to seek condonation of delay by filing an appropriate application on the ground that proceedings were pending before this Court.

(HARSH BUNGER)
JUDGE

07.11.2024
Nisha-I

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>