



105-2

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-11403-2016 (O&M)

Date of Decision : 07.05.2026

Balbir Singh

... Petitioner(s)

Versus

Union of India & Ors

... Respondent(s)

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN
HON'BLE MR. JUSTICE RAMESH CHANDER DIMRI**

Present : Mr. Chander Kant Rana, Advocate and
Mr. Digvijay Singh, Advocate for the petitioner.

Mr. Mahender Joshi, Advocate for
Mr. R.S. Madan, Advocate for respondent No.3 and 4/NHAI.

ALKA SARIN, J. (Oral)**CM-6971-CWP-2026**

1. This is an application under Section 151 of the Code of Civil Procedure, 1908 for withdrawal of the main case with liberty to file afresh on the same cause of action.

2. Learned counsel for the applicant-petitioner has pointed out that the present writ petition was earlier listed with a bunch of other petitions, lead case being **CWP No.4802 of 2016**, in which the following order was passed :

“1. During the course of hearing of the instant application, learned counsel for the applicants/petitioners submits that he be permitted to withdraw the main petition with liberty to the petitioners to file a fresh one on the same cause of action after detailing therein all subsequent facts which have come into being after the filing of the main petition.

2. Finding the afore prayer to be reasonable, we order the main petition to be taken on board and permit its

withdrawal with liberty to the petitioners to file a fresh petition on the same cause of action as also detailing therein all subsequent facts which have come into being after the filing of the main petition.

3. Pending miscellaneous applications also stand disposed of.”

3. Notice of the application.

4. Mr. Mahender Joshi, Advocate appearing for Mr. R.S. Madan, Advocate, accepts notice on behalf of the contesting respondent Nos.3 and 4/NHAI. Learned counsel states that he has no objection if the present application is allowed.

5. In view of the above and for the reasons stated in the application, the same is allowed. With the consent of the learned counsel for the parties, the main case (**CWP-11403-2016**) is taken on Board today itself.

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6. Learned counsel for the petitioner seeks permission to withdraw the present writ petition with liberty to the petitioner to file a fresh petition on the same cause of action as also detailing therein all subsequent facts which have come into being after the filing of the main petition. Permitted to do so.

7. Learned counsel appearing on behalf of the contesting respondent Nos.3 and 4/NHAI states that he has no objection.

8. Dismissed as withdrawn with the liberty aforesaid. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

07.05.2026
Yogesh Sharma

(RAMESH CHANDER DIMRI)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO