

D. B. CIVIL SPECIAL APPEAL(W) NO. 525/2007

M/s. Shree Shyam Enterprises

Vs.

State of Rajasthan & Anr.

DATE OF ORDER :: 31-07-2007

HON'BLE THE ACTING CHIEF JUSTICE MR. J.M. PANCHAL
HON'BLE MR. JUSTICE MOHAMMAD RAFIQ

Mr. Suresh Sahni with
Mr. R.M. Sharma for the appellant.

The instant appeal is directed against the order dated April 02, 2007 rendered by the learned Single Judge in S.B. Civil Writ Petition no.343/2007 by which prayer made by the appellant to quash the Office Order dated January 09, 2007 produced at Annexure-16 to the writ petition is refused.

During the course of hearing of the appeal, the learned counsel for the appellant has produced xerox copy of the Office Order dated July 25, 2007 for perusal of the Court which is ordered to be taken on the record of the case. It indicates that on personal hearing of the representative of the appellant, the Finance Committee in its meeting which was held on July 04, 2007 decided to withdraw the debarring of the appellant-Firm for the future tenders as the appellant has committed to supply material of pending supply orders at old rates.

In view of the contents of the above-referred to letter, the learned counsel for the appellant seeks permission to withdraw the instant

appeal and prays that liberty be reserved to the appellant to challenge the above-mentioned order dated July 25, 2007 before the appropriate forum.

In view of the statement made at the Bar, the learned counsel for the appellant is permitted to withdraw the instant appeal. It is clarified that it would be open to the appellant to challenge the order dated July 25, 2007 before the appropriate forum in accordance with law.

Subject to the above-referred to clarification, the appeal stands disposed of as withdrawn.

[MOHAMMAD RAFIQ], J.

[J. M. PANCHAL], ACTG. CJ.

Skant/-