

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CMPMO No.: 296 of 2020.

Decided on: 30.06.2020

Ashok Kumar

....Petitioner.

Versus

Joginder Singh and others

...Respondents.

Coram

The Hon'ble Mr. Justice Ajay Mohan Goel, Judge.

Whether approved for reporting?¹ No

For the petitioner : Mr. Anup Rattan, Advocate.

For the respondents : None.

Ajay Mohan Goel, Judge *(Oral)*

Mr. Anup Rattan, learned Counsel for the petitioner submits that he has instructions to withdraw present petition, however, with liberty to avail the remedy of appeal which is available to the petitioner, in accordance with law. Learned Counsel further prays that it may be observed that in case the appeal is barred by limitation, then, learned Appellate Court should give benefit to the petitioner of the time spent while pursuing this petition in this Court as well as of the orders passed by the Hon'ble Supreme Court of India with regard to limitation during the period of COVID-19

¹ *Whether reporters of the local papers may be allowed to see the judgment?*

pandemic. Ordered accordingly. In case any application is filed by the present petitioner for *condonation* of delay alongwith the appeal, then learned Appellate Court shall condone the delay of the period spent by the petitioner before this Court while calculating limitation and as far as the orders passed by Hon'ble Supreme Court of India with regard to limitation during COVID-19 pandemic, are concerned, learned Appellate Court shall take into consideration that in the event of any further delay, whether the case of the petitioner is covered under the order passed by Hon'ble Supreme Court or not and pass appropriate order.

The petition stands disposed of as withdrawn, with liberty as prayed for. Pending miscellaneous application(s), if any, also stand disposed of.

(Ajay Mohan Goel)
Judge

June 30, 2020
(narendar)