

Sr. No.216

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-12522-2015(O&M)

Date of Decision: 08.11.2016

Jasbir Singh

.....Petitioner

VS.

State of Punjab and others

....Respondents

CORAM HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present:- Mr.H.K.Brinda,Advocate for the petitioner.
Mr. B.M.Vinayak, DAG, Punjab.
Mr. NPS Mann, Advocate for respondent no.4.

RAMESHWAR SINGH MALIK, J

It is not disputed before this Court that the petitioner has got equally efficacious remedy of revision under Section 216(5) of the Punjab Panchayati Raj Act, 1994 which has not been availed by the petitioner before filing the present writ petition. Further, no reason is forthcoming as to why the petitioner could not avail his equally efficacious remedy before the appropriate authority.

In view of the above, petitioner is relegated to his alternate remedy of revision under Section 216(5) of the Punjab Panchayati Raj Act, 1994 at the first instance.

Disposed off accordingly.

However, it is made clear that if the petitioner would file an

appropriate revision petition before the competent authority, within a period of one month from today, the respondents shall not raise the issue of limitation because the petitioner has been pursuing his remedy before this Court under bonafide wrong impression. Further, till the revision petition filed by the petitioner is entertained and proper interim order is passed by the revisional authority, the impugned order shall remain in abeyance.

(RAMESHWAR SINGH MALIK)
JUDGE

November 08, 2016

mamta

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No