

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

Civil Writ Petition No. 18848 of 2015 (O&M)

Date of Decision: 31.8.2016

Satya Pal

.....Petitioner

Vs.

Union of India and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Rajeev Anand, Advocate
for the petitioner.

Mr. Abhinav Gupta, Advocate
for the respondent-UI.

RAMESHWAR SINGH MALIK J. (ORAL)

Learned counsel for the parties are ad idem that so far as issue of vacation of premises in question is concerned, the writ petition has been rendered infructuous because the petitioner has already vacated the premises.

So far as second issue, i.e. recovery of penal rent from the petitioner ordered vide order dated 1.9.2015 passed by the Estate Officer is concerned, an appeal lies against the said order under Section 9 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971. It is also not disputed that petitioner has not availed the remedy of appeal, before filing present writ petition.

In view of the above, present writ petition is disposed of relegating the petitioner to his equally efficacious remedy of statutory appeal against the impugned order.

Disposed of, accordingly.

31.8.2016
Ak Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

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