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

**CWP-14479-2013 (O&M)
Date of decision : 18.04.2017**

Dharam Singh

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. S.P. Soi, Advocate
for the petitioner.

Mr. Yatinder Sharma, Addl. A.G., Punjab.

Mr. K.V. Aggarwal, Advocate
for respondent Nos.2 and 3.

Mr. Mayank Mathur, Advocate
for the Intervenor.

AMIT RAWAL, J. (ORAL)

The petitioner has filed the present writ petition for issuance of a writ, direction or order for quashing the order dated 17.05.2013 (Annexure P-10) passed by the respondent No.3 vide which the sanctioned site plan of the premises of the petitioner has been cancelled without there being any provision in the Punjab Municipal Act, 1911 for cancellation of the site plan after deposit of its fee and sanction of the same, which has ultimately been upheld by the Civil Court in the judgment and decree dated 17.12.2015.

Learned counsel for the respondent(s) submits that the petitioner has already availed the remedy against the judgment and decree

dated 17.12.2015 by filing a statutory appeal under Section 96 of the Code of Civil Procedure. Two parallel proceedings cannot be initiated.

At this stage, Mr. S.P. Soi, learned counsel appearing on behalf of the petitioner seeks liberty of this Court to withdraw the present writ petition with liberty to raise all possible pleas in the appeal.

Ordered accordingly.

18.04.2017 Yogesh Sharma	(AMIT RAWAL) JUDGE
	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No