

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

CWP-3201-2017 (O&M)

Date of decision:- 19.07.2017

Baljinder Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present:- Mr. Ashok Kumar Arora, Advocate,
for the petitioners.

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S.J. VAZIFDAR, C.J. (ORAL)

The petitioners have, inter alia, challenged the order dated 28.11.2016 and a notice calling upon them to deposit various amounts and stating that in the event of their failing to do so, action regarding cancellation of the allotment would be taken under the Punjab Urban Planning and Development Act (in short the Act).

2. There is no warrant for entertaining this writ petition. The petitioners have an alternate remedy of filing an appeal. The impugned order notes the concessions regarding interest given pursuant to the observations in the order and judgement of a Division Bench of this Court dated 03.09.2015 in CWP-7682-2015 titled as *Canal Colony Welfare Association Vs State of Punjab and others* and the order and judgement of another Division Bench of this Court dated 19.09.2016 in CWP-15086-2016 titled as *Canal Colony Welfare Association, Amritsar Vs State of Punjab and others*.

The impugned order also finds that the development work has

been completed. The writ petitioners deny the same. These are issues of fact which are best decided by the authorities under the Act.

3. As far as the show cause notice is concerned, the petitioners must respond to the same and the same must be decided by the authorities in the first instance. There is no warrant for interfering with the mere show cause notice in the facts and circumstances of the present case.

4. The writ petition is accordingly dismissed with liberty to the petitioners to adopt the alternate remedy. The application for condonation of delay shall be made before the appellate authority.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(HARINDER SINGH SIDHU)
JUDGE

19.07.2017

Amodh

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