

446 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.13006 of 2003 (O&M)

Date of Decision: 14.08.2018

Adarsh Theatre, Amritsar

..... Petitioner

Versus

State of Punjab and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

Present: Mr. Alok Mittal, Advocate
for the petitioner.

Mr. Pankaj Gupta, Addl. A.G., Punjab.

RAJESH BINDAL J.

Order passed by the Deputy Commissioner-cum-Licensing Authority, Amritsar dated 31.01.2003 has been challenged in the present writ petition.

In the written statement filed, the State has taken the plea of alternate remedy available to the petitioner.

Learned counsel for the parties fairly submitted that identical issue came up for consideration before this Court in *CWP No.15076 of 1995* titled as 'M/s Navdeep Theatres (P) Ltd., City Centre, Amritsar vs. State of Punjab and another' where vide order dated 25.01.2018, the parties were relegated to the remedy of appeal, granting further time to file appeal as the limitation thereof had expired.

For the reasons stated in the *M/s Navdeep Theaters (P) Ltd.'s case (supra)*, the present petition is disposed of relegating the petitioner to avail of his remedy of appeal before the Appellate Authority in terms of applicable statute.

As the writ petition remained pending in this Court, it is directed that in case the appeal is filed by the petitioner on or before September 28, 2018, the same shall not be dismissed on account of delay and shall be decided on merits, subject to fulfillment of any condition for entertainment thereof.

The writ petition stands disposed of.

(RAJESH BINDAL)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

14.08.2018

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No