

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-28125-2017

Date of Decision: September 28, 2018

Gurcharan Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.Sameer Sachdeva, Advocate for the petitioners.

Mr.Rajesh Bhardwaj, Addl.AG, Punjab.

Mr.Mukesh Singla, Advocate for respondent Nos.2 to 4.

Mr.Ashok Kumar Bazaz & Mr.Alankrit Bhardwaj, Advocates
for the MC-Ludhiana.

.....

SURYA KANT, J.(ORAL)

The impugned speaking order dated 15.09.2017 rejecting claim of the petitioner has been passed by the Secretary, Punjab Mandi Board. This Court has already held in somewhat similar circumstances that there is an alternative remedy under Rule 12 of the Punjab State Agricultural Marketing Board (Sale and Transfer of Plots) Rules, 1999 to file appeal before the State Government.

[2] It is directed that in view of the availability of the alternative remedy, the writ petition is disposed of with liberty to the petitioner to file the appeal within a period of one month from the date of receipt of a certified copy of this order. It is directed that in case the appeal is filed, as directed above, the Principal Secretary, Agricultural Department-cum-

Appellate Authority or the respondents shall not raise the objection of limitation, and such appeal shall be decided by way of a speaking order within a period of four months from the date of its filing.

**(SURYA KANT)
JUDGE**

September 28, 2018
meenuss

**(SUDIP AHLUWALIA)
JUDGE**

- | | |
|---------------------------------------|---------------|
| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |