

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

CWP-31784-2019

Date of decision: 26.11.2019

Chandigarh Poultry Centre through its proprietorPetitioner.

vs.

State of Haryana and othersRespondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Alok Kumar Jain, Advocate for the petitioner.

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Sanjay Kumar, J. (ORAL)

This writ petition was filed assailing the order dated 30.8.2019 (Annexure P-18) passed by the District Level Clearance Committee, Panchkula, the fourth respondent, whereby it conveyed its decision not to grant the required clearance/permission to the petitioner for setting up an Integrated Chicken Processing Plant.

The impugned order is relatable to the Notification dated 14.7.2016 issued by the Government of Haryana, through its Industries and Commerce Department. This Notification was issued in exercise of the power conferred by Section 17 of the Haryana Enterprises Promotion Act, 2016 (hereinafter, 'the Act 2016'). Significantly, the impugned order is appealable under Section 14 (C) of the Act 2016. This provision reads to the effect that any person aggrieved by the decision of the District Level Clearance Committee may, within a period of 30 days from the date of receipt of communication of the decision, appeal to the Empowered Executive Committee.

In the light of the efficacious alternative remedy provided to

the petitioner, this Court finds no grounds to entertain this writ petition and

adjudicate the issues raised herein on merits. The writ petition is accordingly disposed of leaving it open to the petitioner to invoke the statutory appellate remedy provided to him in accordance with law. In the event the petitioner prefers such an appeal, the Appellate Authority shall endeavour to dispose of the same expeditiously and preferably, within three months from the date of filing of such an appeal.

(SANJAY KUMAR)
JUDGE

26.11.2019

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no