

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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**CWP No.2583 of 2021
Decided on : 18.02.2021**

Sohan Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Bikramjit Singh Randhawa, Advocate for the petitioner.

(The proceedings are being conducted through video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner has filed the present writ petition under Article 226/227 of the Constitution of India, for quashing of the order dated 08.01.2021 (Annexure P-10) passed by the Assistant Engineer Operation, Sub Division P.S.P.C.L. Kiratpur Sahib. Vide the said order a fine of Rs.1,80,192/- has been imposed upon the petitioner.

A perusal of said order would go on to show that the appeal is maintainable before the appellate authority within 30 days on the deposit of one half of the finally assessed amount. In such circumstances, once the remedy of appeal as such is available, this Court is of the opinion that writ jurisdiction cannot be invoked at the first instance. Reliance can be placed upon the law laid down by the Apex Court in **United Bank of India Vs. Satyavati Tondon and others 2010(8) SCC 110.**

Faced with this situation counsel submits that the period of one month has expired and therefore, the appeal would not be entertained.

Resultantly, present writ petition is disposed of with the direction to the appellate authority that if the appeal is preferred within 30 days from the receipt of the certified copy of this order, same be heard expeditiously on merits by the said appellate authority.

18.02.2021
Parveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No