

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-13209-2021 (O&M)
Date of Decision:23.07.2021

Jaswant Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

**CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.
HON'BLE MR. JUSTICE VIVEK PURI.**

Present:- Mr. Munish Gupta, Advocate for the petitioner.

Mr. Suveer Sheokand, Additional Advocate General, Punjab.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

As per pleadings on record, an order dated 05.05.2021 (Annexure P-9) was passed by the Chief Administrator-cum-competent authority of the Patiala Urban Planning and Development Authority, Patiala, whereby building of the petitioner had been directed to be sealed.

Instant writ petition was preferred seeking a limited prayer for issuance of directions to the concerned authority to take up for consideration an appeal that had been preferred by the petitioner under Section 87 (3)(b) of the Punjab Regional and Town Planning and Development Act, 1995 as also an application accompanying the appeal for issuance of certain interim directions.

Precise contention raised by counsel that the appeal as also application for stay at Annexures P-11 and P-13 respectively was towards

availing of a statutory remedy and the same cannot be rendered as nugatory and redundant by not taking up the matter for hearing.

On the previous date of hearing i.e. on 20.07.2021, learned State counsel had sought time to complete instructions to indicate the time frame within which the statutory appeal dated 28.05.2021 (Annexure P-11) would be taken up for hearing.

During the course of resumed hearing today, Mr. Suveer Sheokand, learned Additional Advocate General, Punjab apprises the Court that 27.07.2021 at 12 P.M. is the date and time that has been fixed for hearing of the main appeal as also the application for stay. Learned State counsel submits that a notice in such regard has already been sent to the petitioner on 16.07.2021.

In the light of such categorical stand taken on behalf of the State, no further directions are required to be passed.

Writ petition is disposed of.

It is clarified that we have not examined the issue on merits.

(TEJINDER SINGH DHINDSA)
JUDGE

(VIVEK PURI)
JUDGE

23.07.2021

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |