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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-14344-2020

Date of Decision: 29.01.2021

BABU RAM SHARMA

... PETITIONER

VS

STATE OF PUNJAB AND OTHERS

... RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN
HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Gurminder Singh, Senior Advocate with
Mr. R.P.S.Bara, Advocate for the petitioner.
Mr. Sahil Sharma, Deputy Advocate General, Punjab.

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JITENDRA CHAUHAN, J. (ORAL)

The matter has been taken up through video conferencing in the light of the pandemic Covid-19 situation and as per instructions.

Learned counsel for the petitioner states that the matter stands covered by the ratio of law laid down by this Court in **CWP No. 11054 of 2020** titled as '**Manpreet Singh Vs. State of Punjab and others, decided on 6.8.2020**'.

Learned State counsel submits that the petitioner filed appeal against demand notice in Form-S dated 15.3.2019 (Annexure P-7) issued by respondent No.5-Executive Engineer-Cum-District Mining Officer, Mining Division, Ropar before respondent No.2-Director Mining, Department of Mines and Geology, Punjab Civil Secretariat-II, Sector 9, Chandigarh, which is still pending.

Faced with the situation, learned counsel for the petitioner submits that he will be satisfied in case the present petition is treated as representation and the competent authority is directed to consider and decide the same in a time-bound manner.

Without adverting to the merits of the case, we direct

respondent No.1-Principal Secretary, Department of Mines and Geology,

Punjab Civil Secretariat-II, Sector 9, Chandigarh to treat the present petition as representation and decide the same expeditiously. The learned competent authority shall also examine as to whether the case of the petitioner falls within the parameters of law laid down by this Court in CWP-11054-2020, titled as Manpreet Singh Vs. State of Punjab and others decided on 6.8.2020. The needful be done within twelve weeks from the date of receipt of certified copy of the order. In case, the learned competent authority reaches to the conclusion that the case of the petitioner is not covered by the ratio of law laid down in CWP-11054-2020, the petitioner shall have the liberty to revive the present petition within three months thereafter.

During the pendency of the matter before the learned competent authority, no coercive steps be taken against the petitioner.

Disposed of in the above terms.

[JITENDRA CHAUHAN]
JUDGE

[VIVEK PURI]
JUDGE

29.01.2021

Janki

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No