

CWP-1560-2023

Date of Decision: January 25, 2023

Mangal Singh and others

..... Petitioners

Versus

The State of Punjab and another

..... Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE**

Present: Mr. Tarun Singla, for the petitioners.

Mr. Sandeep Jain, Addl.AG, Punjab.

LISA GILL, J.

Challenge in this writ petition is to demand notice dated 06.06.2022 (Annexure P2) whereby royalty has been assessed and demanded.

Learned counsel for the petitioners has raised various grounds including that no opportunity of hearing was provided to the petitioners before passing of the order, apart from the submission that petitioners fall under the exemption clause and are not liable to pay amount of royalty as demanded. However, learned counsel for the petitioners is unable to deny that there is an alternate efficacious remedy in terms of Rule 87 of Punjab Minor Mineral Rules, 2013 available to the petitioners.

Learned counsel for the petitioners, however, submits that question of delay in filing of the appeal would arise, at this stage.

Having heard learned counsel for the petitioners, we do not find any ground to interfere in this writ petition at this stage, keeping in view the alternate efficacious remedy available to the petitioners. In case, appeal is filed by the petitioners within two weeks from the receipt of certified copy of this order, application seeking condonation of delay, if any, filed alongwith, be considered sympathetically by the competent authority in accordance with law.

Present petition is, accordingly, disposed of.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

January 25, 2023
rts

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