

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(230)

CWP-2621-2020

Date of decision: - 30.05.2023

Malkit Singh and others

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Rai Singh Chauhan, Advocate,
and Ms. Deepika Chauhan, Advocate
for the petitioners.

Mr. Rohit Ahuja, DAG, Punjab
for respondents No.1 to 6.

Mr. Vijay Kumar Chaudhary, Advocate
for respondent No.7.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate order or direction and writ in the nature of certiorari for quashing the action of respondents i.e. resolution dated 25.06.2019 (Annexure P-2) vide which respondent No.7/gram panchayat, has resolved to allot 5-5 marla plot each without getting the approval of the State Government.

2. Learned State counsel as well as learned counsel appearing on behalf of respondent No.7 have jointly pointed out that the petitioners have an alternative remedy of filing a petition under Section 199 of the Punjab Panchayati Raj Act, 1994.

3. Learned counsel for the petitioners, in view of the above, seeks to withdraw the present writ petition with liberty to file a petition under Section 199 of the Punjab Panchayati Raj Act, 1994. It is prayed that since the petitioners were pursuing the present remedy, therefore, in case the petitioners file a petition within a period of 30 days from today, then, the Competent Authority be directed not to dismiss the said petition solely on the ground of limitation.

4. In view of the above, the present writ petition is dismissed as withdrawn, with the aforesaid liberty.

5. In case the petitioners file any such petition within a period of 30 days from today, then, the Competent Authority would not dismiss the said petition solely on the ground of limitation.

May 30, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No