

CWP No.1984 of 2023

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.1984 of 2023

Date of decision : 02.02.2023

M/s Rebel Hospitality

.....Petitioner

VERSUS

Chandigarh Administration and others

....Respondents

**CORAM:- HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Gurminder Singh, Senior Advocate with
Mr. Vikas Jain, Advocate, for the petitioner.

Mr. Sanjeev Ghai, Senior Standing Counsel with
Mr. Deepak Malhotra, Standing Counsel
for respondents No.1 to 6 - U.T. Chandigarh.

Mr. N.S. Boparai, Advocate &
Mr. Bikram Singh Dhillon, Advocate, for respondent No.7.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court impugning the orders dated 01.04.2022 (Annexure P-1) and 23.12.2022 (Annexure P-2) as also the order dated 24.01.2023, wherein the initial order for violation of the building norms and thereafter, sealing of the premises followed by the dismissal of the appeal, stands challenged.

Learned Senior Standing Counsel for respondents No.1 to 6 – U.T. Chandigarh has submitted that there is an alternative effective remedy of revision petition available to the petitioner which it has yet not availed and directly approached the High Court by way of the present writ petition.

On an issue raised with regard to the Court not being held by the Advisor to the Administrator, where the revision petition is to be preferred,

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learned Senior Standing Counsel for respondents No.1 to 6 – U.T. Chandigarh has pointed out that the said Court is functional and is regularly taking up the matters and hearing the same. On instructions, he has informed the Court that in case the revision petition is preferred by the petitioner, the same shall be considered and decision taken thereon within a period of three months from the date of filing of the revision petition.

In the light of the above, we relegate the petitioner to avail of its remedy of filing a revision petition against the orders impugned herein. In case such a revision petition is preferred, the same shall be considered and decided within a period of three months from the date of filing of such revision petition. Liberty is also granted to the petitioner to move an appropriate application for stay of the impugned orders as also for de-sealing the premises, which, if preferred along with the revision petition, shall be considered and a decision taken thereon by the revisional authority within three days from the date when the Court is held, especially when the counsel is stating that it is to be held on the coming Wednesday.

With the above observations, the present writ petition stands disposed of.

(AUGUSTINE GEORGE MASIH)
JUDGE

02.02.2023
Harish

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No