

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

110

Civil Writ Petition No.11983 of 2022
Date of Decision: January 12th, 2023

Kapil Goyal and another

...Petitioners

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present: Mr. Pavan Malik, Advocate
for the petitioners.

Mr. V.G. Jauhar, Additional Advocate General, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

In pursuance to the orders which have been passed by this Court on the earlier occasions and on the last date of hearing i.e. 09.01.2023, learned counsel for the State has produced a notification dated 25.05.2016 issued by the Government of Punjab, Housing and Urban Development Department, wherein the Appellate Authorities have been notified. As regards the layout plan which is mentioned at Clause A (iii), the same reads as follows:-

“(iii) Against the orders passed by the Layout and Building Plan Approval Committee (Mega Projects) headed by Chief Administrator, PUDA-cum-Director, Town and Country Planning Punjab as Competent Authority-Principal Secretary/ Secretary/ Special Secretary/ Additional Secretary, Housing and Urban Development Government of Punjab.”

In the light of the above, learned counsel for the State submits that the order which has been impugned in the present writ petition is appealable before the competent authority, as has been notified.

In view of the above, we relegate the petitioner to avail of the alternative remedy of appeal by filing the appeal before the Principal

Secretary, Housing and Urban Development Department, Government of Punjab, who shall either himself or send it to the concerned authority for decision on merits in the appeal so preferred, if any.

The writ petition stands disposed of accordingly.

(AUGUSTINE GEORGE MASIH)
JUDGE

January 12th, 2023
Puneet

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No