

2023:PHHC:129631-DB

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

213

CWP-28374-2017(O&M)
Date of Decision : October 06, 2023

TARSEM SINGH & ANR

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. A.D.S.Sukhija, Advocate
for the petitioners.

Mr. Ankur Mittal, Addl. AG, Haryana with
Mr. Saurabh Mago, DAG, Haryana.

Mr. Rajesh K.Sheoran, Advocate
for respondent No.4.

SURESHWAR THAKUR. J.(Oral)

1. Since the impugned order is amenable for becoming challenged before the Appellate Authority, as contemplated in Section 350 and 350(d) of the Haryana Municipal Corporation Act, 1994, therefore, in the wake of the above, the instant writ petition at this stage, is not maintainable.

2. In consequence, the instant writ petition at this stage is disposed of as not maintainable. However, the said alternative remedy (Supra) be ensured to be resorted by the present petitioners, but within two weeks from today, and, till the availment of the said alternative remedy, no coercive action be drawn against them. Moreover in case any application for condonation of delay in filing the statutory appeal,

application whereof, may become cast under Section 14 of the Limitation Act, 1963, thus becomes appended with the said appeal, thereupon the said application shall be lawfully considered. The said statutory appeal be ensured to be decided within two months from its preferment, but after hearing all the affected persons concerned.

3. All the pending applications, if any, stand disposed of.

(SURESHWAR THAKUR)
JUDGE

October 06, 2023
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No