

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

(117)

**CWP-21520-2023
Decided on : 03.10.2023**

Suman

.....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MS.JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Jasvir Singh Dhaliwal, Advocate for the petitioner (s).

Mr. Aman Bahri, Addl. AG, Haryana.

G.S. Sandhawalia, J. (Oral)

Challenge in the present writ petition filed under Article 226/227 of the Constitution of India is to the order dated 14.09.2023 (Annexure P-3) passed under Section 12 (2) of the Punjab Scheduled Roads and Controlled Area Restriction of Unregulated Development Act, 1963 (for short '1963 Act').

2. A perusal of the said order would go on to show that order dated 05.02.2021 was also issued to the petitioner to stop further use/construction and to appear and show cause as to why the land should not be restored to its original position. Apparently, appearance was put in and reply was also filed, which would be clear from the impugned order and on that account directions had been issued to restore the land within a period of seven days from the date of issuance of the order.

3. Mr. Bahri has brought to our notice that under Section 12 (3) of the 1963 Act an appeal is permissible before the Tribunal within a period of 60 days.
4. Faced with this situation, counsel for the petitioner submits that he may be permitted to withdraw the present petition and to file the appeal before the competent authority.
5. Ordered accordingly.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

03.10.2023
Naveen

Whether speaking/reasoned :	Yes	
Whether Reportable :		No