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

CWP-22557-2023

Date of Decision:05.10.2023

M/S UGALA FILLING STATION AND ANOTHER Petitioners

Versus

STATE OF HARYANA AND OTHERS Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Prateek Sodhi, Advocate
for the petitioners.

Mr. Raman Sharma, Addl. AG, Haryana.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Article 226 of the Constitution of India are seeking setting aside of NOC dated 02.12.2020 (Annexure P-21) whereby respondent No.3 has granted permission to private respondent to set up retail outlet.

2. Learned counsel for the petitioners submits that petitioner has preferred an appeal against order dated 02.12.2020 (Annexure P-21) whereby NOC was granted to respondents No.9 and 10, however, mother of respondent No.10 is holding charge of Appellate Authority, thus, appeal cannot be heard and petitioner is left with no other remedy except to approach this Court.

3. Mr. Raman Sharma, Addl. AG, Haryana who on advance notice is present in Court asserts that appeal of the petitioner shall be heard and decided within two weeks from today by an officer other than mother of respondent No.10 who at present is Appellate Authority.

4. The petition stands disposed of with a direction to respondents to decide appeal of the petitioner within two weeks from today.

5. It is made clear that Appellate Authority while passing order shall consider grievance of the petitioner with respect to cutting of trees. The petitioner is at liberty to move an appropriate application before Appellate Authority for interim relief, if any.

(JAGMOHAN BANSAL)
JUDGE

05.10.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>