

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 28810 of 2022(O&M)

Date of Decision:30.01.2023

Sukhwinder Singh @ Chhinder Singh

.....Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr.Tarun Singla, Advocate
for the petitioner.

Mr. Sandeep Jain, Addl.AG., Punjab.

LISA GILL, J(Oral).

Challenge in this writ petition is to demand notice dated 06.06.2022 (Annexure P-3) whereby royalty has been assessed and demanded.

Learned counsel for the petitioner has raised various grounds including that of no opportunity of hearing being provided to the petitioner before passing of the order and that petitioner falling under the exemption clause is not liable to pay amount of royalty as demanded. However, learned counsel for the petitioner is unable to deny that there is an alternate efficacious remedy in terms of Rule 87 of Punjab Minor Mineral Rules, 2013 available to the petitioner.

Learned counsel for the petitioner, however, submits that question of delay in filing of the appeal would stare the petitioner in his face.

Having heard learned counsel for the petitioner, we do not find any ground to interfere in this writ petition at this stage, keeping in view the alternate efficacious remedy available to the petitioner. In case, appeal is filed by the petitioners within two weeks from the receipt of certified copy of this order, application seeking condonation of delay, if any, filed alongwith, be considered sympathetically by the competent authority in accordance with law.

Present petition is, accordingly, disposed of.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

January 30, 2023.

s.khan

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.