

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117

CWP-275-2023

Date of Decision:09.02.2023

Saif Ali

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Aruz Khan, Advocate,
for the petitioner.

Mr. Saurav Verma, Addl. A.G., Punjab.

VINOD S. BHARDWAJ , J.(Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondent Nos.1 to 3 to release the Tractor-trolley mark 'Sonalika' Model-2022 to the petitioner.

It has been alleged by learned counsel appearing on behalf of the petitioner that the Tractor-trolley of the petitioner had been illegally seized by the respondent-authorities and the same has been kept in Police Station, Rahon, District Nawanshahr. He has alleged that the same is not being released and a demand of ₹1,00,000/- is being made from the petitioner for release of the said vehicle.

Learned State Counsel, on instructions from ASI Resham Singh, Police Station Rahon, District Nawanshahr, submits that the Tractor-trolley of the petitioner was involved in illegal mining activities whereupon

it was impounded by the Mining Department. A fine of ₹1,00,000/- has been imposed by the competent authority of the Mining Department towards compounding of vehicle under Rule 75 of the Punjab Minor Minerals (First Amendment) Rules, 2022. He submits that there was no occasion for raising any demand of ₹1,00,000/- as bribe. The aforesaid amount is the penalty imposed by the authorities concerned and the order of impounding has been passed by the Department of Mines and Geology, Punjab.

In this view of the matter, learned counsel appearing on behalf of the petitioner seeks permission to withdraw the present writ petition with liberty to take recourse to the alternative remedy(ies) as are available to the petitioner in accordance with law.

Disposed of as withdrawn with liberty, as aforesaid.

February 09, 2023
seema

(VINOD S. BHARDWAJ)
JUDGE

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