

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-7596-2024
Date of Decision: 04.04.2024

Devinder Singh Babla
Versus
....Petitioner

State of Punjab and Others
....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Anand Chibber, Senior Advocate with
Mr. Vibhav Jain, Advocate and
Mr. Uday Agnihotri, Advocate
for the petitioner.

ARUN PALLI, J. (ORAL)

1. By way of the instant writ petition, the petitioner has assailed the notice dated 14.03.2024 (Annexure P-28) passed by respondent No.3 under Section 87 of the Punjab Regional and Town Planning and Development Act, 1995 (for short '1995 Act') vide which the petitioner has been called upon to; demolish the unauthorized building constructed over this 3.25 Acres of land falling in village Parol, stop carrying out on land, of any building or other operations within one month of service of this notice and also to discontinue the use of this land for commercial activity forthwith, failing which further action under Sub-Section (6) of Section 87 of the 1995 Act will be initiated.
2. Concededly, the impugned notice (*ibid*) is appealable under Section 87 (3) (b) of the 1995 Act, to the State Government. And sub-section 4 (a) of Section 87 postulates that notice issued under Section 87 shall be of no effect pending the final disposal of the appeal.
3. Faced with this position, learned Senior counsel representing the petitioner submits that he be permitted to withdraw the petition, to enable the

petitioner to avail the remedy of appeal, in terms of Section 87 (3) (b) of the 1995 Act. He submits that the matter being time sensitive, a duly constituted appeal shall be filed tomorrow itself.

4. Served with the advance copy of the petition, Mr. Gurminder Singh, learned Advocate General, Punjab, assisted by Mr. Shekhar Verma, Additional Advocate General, is present in Court. He fairly submits that in the event any such appeal is preferred, the same shall be taken cognizance of and the competent authority shall examine the matter in the right earnest and decide the appeal, in accordance with law.

5. Accordingly, the petition is disposed of, in terms of the statements made by learned counsel for the parties.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

04.04.2024
Prince Chawla/AK Sharma

Whether speaking/reasoned :	Yes
Whether reportable :	Yes/No