



CWP-12760-2024 (1)

In the High Court of Punjab and Haryana at Chandigarh

[125] CWP-12760-2024
Date of Decision: 29.05.2024

AMIT MAHAJAN PETITIONER
VERSUS
STATE OF PUNJAB AND OTHERSRESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Aashish Chopra, Sr. Advocate with
Mr. Bhupinder Ghai, Advocate and
Ms. Meher Nagpal, Advocate for the petitioner.

Mr. Maninder Singh, Sr. DAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. Since it is stated at the bar by the learned Senior Deputy Advocate General, Punjab that the impugned annexure is appealable before the Secretary Mines, Govt. of Punjab, therefore, the instant writ petition is premature, and, is also mis-constituted.
2. In sequel, the instant writ petition is disposed of with a liberty to the present petitioner to make an appeal against Annexure P-1, before the Secretary (Mines), Government of Punjab. In the said appeal, it is permissible for the petitioner to raise all grounds relating to the present petitioner becoming condemned, unheard or there being any breach to the principle of *audi alteram partem*, inasmuch as, the same becoming rendered from the calculation sheet, despite the same not becoming supplied to the present petitioner, so that thereby, an opportunity could be availed by the present petitioner to contest the calculations, as made therein.
3. The said appeal, if it is time barred, thereupon, on an application cast under Section 14 of the Limitation Act becoming appended therewith, thus the Appellate Authority may consider the same and condone the delay in the

belated filing of the statutory appeal. Moreover, the Appellate Authority may also



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lawfully consider to while exercising lawful discretion, thus waive the condition qua the deposits of sums of money as a prerequisite condition for the entertainment and maintainability of the appeal.

4. Disposed of accordingly.

(SURESHWAR THAKUR)
JUDGE

(LALIT BATRA)
JUDGE

May 29, 2024

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