



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-11794-2025
Date of decision: 29.04.2025

GURDEV SINGH AND OTHERS

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present: - Mr. Kunal Choksi, Advocate
for the petitioners.

VINOD S. BHARDWAJ, J. (Oral)

The present writ petition has been filed against the demolition notice that has been issued by the respondent-authorities pointing out irregularities and lack of statutory sanction and approvals of the building plan.

2. Even though, Counsel for the petitioner apprehends that the constructed building is likely to be demolished without affording a fair opportunity, however, this Court does not have any reasons to agree with such an apprehension. Once the authorities have already taken recourse to the procedure prescribed by law, it is expected that the said course would be followed to a logical end.

3. It is undisputed that the notice of demolition passed under Section 269 of Punjab Municipal Corporation Act, 1976 is appealable before

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the District Judge under Section 269(2) and the District Judge has the power to grant interim relief. Hence, the petitioner has an efficacious alternative remedy available under law.

4. The present writ is hence not maintainable and the petitioner has exhausted the statutory remedy of appeal.

5. Faced with above, petitioner prays that an interim indulgence be granted to him to enable him to exhaust his remedies.

6. Hence, while directing to entertain the writ petition, the authorities are directed not to demolish the house of the petitioner for a period of 10 days or till preference of an appeal by the petitioner before the Appellate Authority, whichever is earlier.

7. Nothing said herein or the interim indulgence granted by this Court should be deemed as an expression on merits as the above protection has been extended solely to provide an opportunity to the petitioner to protect his rights and that the appellate authority shall decide the case on its own merits.

(VINOD S. BHARDWAJ)
JUDGE

APRIL 29, 2025*Vishal Sharma*

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