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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-31597-2024

Date of Decision: July 08, 2025

SANDEEP KUMARI AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Abhishek Sharma, Advocate for the petitioners.

Mr. R.S. Pandher, Addl. AG, Punjab.

LISA GILL, J.

1. Prayer in this writ petition is for setting aside order dated 07.06.2021 passed by Director, Mining Department of Water Resources Punjab whereby Earnest Money Deposit (EMD), security deposit and one instalment has been forfeited. It is submitted that on representation submitted by petitioners, Chief Engineer, Mines and Geology, Chandigarh on 02.05.2025 has recommended refund of amount.

2. Learned counsel for State at the outset points out that petitioners have not availed of remedy of appeal as provided in Rule 44 of Punjab Minor and Mineral Rules, 2013 (for short – ‘the Rules’). Chief Engineer is not the competent authority to pass any orders in this matter.

3. Faced with above, learned counsel for petitioners submits that liberty be afforded to petitioners to file appeal in terms of Rule 44 of the Rules. It is submitted that appeal alongwith application seeking condonation of delay in filing the same shall be filed within fifteen (15) days from today.

4. Writ petition is, accordingly, disposed of at this stage, without expressing any opinion on the merits of case, with liberty to petitioners to file appeal alongwith application seeking condonation of delay. Petitioners needless to say are at liberty to raise all available pleas before the competent authority.

(LISA GILL)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

July 08, 2025
Rts

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