

2025:PHHC:056820



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

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**CWP-7191-2025**

**Date of Decision: 30.04.2025**

Harjit Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Mr. N.P.S. Mann, Advocate  
for the petitioner.

Mr. Navneet Singh, Senior DAG, Punjab.

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**HARSH BUNGER J. (ORAL)**

Petition herein is, *inter alia*, for issuance of a writ in the nature of Certiorari for setting aside order dated 05.08.2024 (Annexure P-9) passed by the learned Block Development and Panchayat Officer, Shambu Kalan, whereby an amount of Rs.12,24,00,000/- has wrongly and illegally been assessed against the petitioner without conducting any measurements of the works done by him and without issuing him any notice of explaining his position.

2. Learned State counsel, at the outset, submits that the order impugned in the instant writ petition would be appealable under Section 216(3) of the Punjab Panchayati Raj Act, 1994 (in short 'the 1994 Act').

3. At this stage, learned counsel for the petitioner submits that the petitioner has not been afforded any opportunity of hearing by the concerned officer, and therefore, she is entitled to directly approach this Court by way of filing a writ petition, as the action of the concerned authority is in violation of the principles of natural justice. He places reliance upon the judgment rendered in “*Olga Tellis Vs. Bombay Municipal Corporation*” **1986 AIR (Supreme Court) 180.**

4. Heard.

5. In the instant case, there is no dispute regarding the position, as stated in *Olga Tellis’s case* (supra), however, since an efficacious remedy of appeal is already available to the petitioner, accordingly, she is relegated to her remedy of appeal against impugned order dated 05.08.2024 (Annexure P-9), under Section 216(3) of the 1994 Act. It goes without saying that the petitioner would be entitled to raise all pleas, as raised in this writ petition, before the appellate authority as well.

6. The present writ petition is accordingly disposed of.

7. All pending application(s), if any, shall also stand closed.

**30.04.2025**

*Apurva*

**(HARSH BUNGER)  
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No