

CWP-7860-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-7860-2025 (O&M)Date of decision: 21.03.2025

M/s Bola Screening Plant

....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Mansur Ali, Advocate, and
Mr. Jasreet Singh Malik, Advocate, for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner (M/s Bola Screening Plant) has prayed for the following substantive relief:-

“Petition under Articles 226/227 of Constitution of India for issuance of a Writ in the nature of Certiorari quashing the impugned order Annexure P-9, dated 19.6.2024.

AND

Further issuance of an appropriate Writ, Order or Direction quashing the impugned order Annexure P-8 dated 20.1.2025.

AND

Further issuance of an appropriate Writ, Order or Direction quashing the earlier impugned demand S-Notice Annexure P-4 dated 21.3.2024.

AND

Further issuance of an appropriate Writ, Order or Direction staying the operation of the impugned orders Annexure P-9 dated 19.6.2024, Annexure P-8 dated 20.1.2025 and impugned demand S-Notice Annexure P-4 dated 21.3.2024.”

Learned counsel for the petitioner submits that the impugned order dated 19.06.2024 (P-9), vide which, the Superintending Engineer, Ropar Drainage-cum-Geology Halqa, Water Sources

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Department Punjab, has dismissed the appeal preferred by the petitioner against S-Notice dated 21.03.2024 (P-4), is apparently perverse. For, the concerns/grievances of the petitioner or even the grounds raised in the appeal have not been dealt with.

Served with the advance copy of the petition, Mr. Shekhar Verma, learned Additional Advocate General, Punjab, is present in Court. Upon being pointedly asked, he, as always, fairly concedes that the impugned order dated 19.06.2024 (P-9) is indefensible, therefore, he, on instructions, submits that the same be deemed to have been recalled/withdrawn. As the competent authority shall re-visit the matter in issue and pass appropriate orders, in accordance with law, after affording opportunity of hearing to the petitioner.

That being so, learned counsel for the petitioner submits that let the petition be disposed of, in terms of the statement made by learned State counsel.

In the wake of the position sketched out above and in terms of the statements made by learned counsel for the parties, the petition is accordingly disposed of.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders, assigning reasons in support thereof, shall be passed.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine and decide the matter, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

21.03.2025

Ak Sharma

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