2026:PHHC:063491

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

****

CWP-12533-2026 (O&M)
Date of Decision: 24.04.2026

Rajinder Kumar and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. J.S. Thind, Advocate
for the petitioners.

Mr. Ishan Kaushik, AAG, Punjab.

Mr. Arjun Kapur, Advocate
for respondents No.3 to 5.

*****

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, seeking a writ in the nature of Mandamus, directing respondent No.3 (Estate Officer, Municipal Corporation, Amritsar) to de-seal the business premises of the petitioners, which have been sealed on 20.04.2026 in pursuance of the notification dated 15.12.2025 (Annexure P-2) issued by the Punjab Government.

2. Briefly, petitioners are stated to be the licensees and registered shop owners carrying on the business of wholesale supply of fish. They are

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stated to be engaged in the said business for the past many decades and the main business premises are stated to be situated in the fish market, Hall Gate, Amritsar.

2.1 It appears that the Punjab Government issued a notification dated 15.12.2025 (Annexure P-2), whereby the walled City of Amritsar in District Amritsar; the City of Sri Anandpur Sahib in District Rupnagar; and the City of Talwandi Sabo (Sri Damdama Sahib) in District Bathinda, are declared as the 'Holy Cities of the State of Punjab'. It appears that following the declaration, further direction has been issued to the Administrative Secretaries of various departments to impose restrictions on the sale and use of liquor and other related products; cigarettes and tobacco and other intoxicants; and meat etc. within these cities.

2.2 It is the case of petitioners that after issuance of the notification (Annexure P-2), no prohibitory orders have been issued by the Administrative Secretaries of the concerned departments, however, the officials of the Municipal Corporation and local police have started compelling the petitioners to shut down their business premises and shops.

2.3 The petitioners claim that since they are the members of the Amritsar Wholesale and Retail Fish Association, they approached the official respondents stating that no coercive action be taken against the shop owners/businesses till the alternative shops or sites are not provided to them, and that they should be permitted to continue to work at the present premises, i.e. the Hall Gate, Amritsar.

2.4 The petitioners further allege that the officials of the Municipal

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Corporation accompanied by the local police arrived at the Hall Gate, Amritsar, on 20.4.2026, in the afternoon, and forcibly closed all the shops in the area and sealed them. It is stated that when the petitioners asked for any order passed by the relevant department for shutting down the premises and sealing them, it was stated that the notification dated 15.12.2025 (Annexure P-2) and the notice themselves amount to an order.

2.5 The petitioners contend that the notification dated 15.12.2025 (Annexure P-2) itself specifies that the Administrative Secretary of the Department of Animal Husbandry would issue prohibitory orders within the specified cities, however, no such order has been passed nor it has been received by the petitioners.

2.6 It is stated the notification dated 15.12.2025 (Annexure P-2) was earlier challenged by some of the shop keepers of Sri Anandpur Sahib by filing a writ petition, bearing CWP No.5827 of 2026, which was disposed of by a Division Bench of this Court vide order dated 25.02.026 (Annexure P-6). Relevant extract thereof reads as under:-

> "*4. Learned State counsel further submits that till the restrictions are imposed by the Administrative Secretary of the concerned department, the petitioners are not be stopped from selling of any products on which restriction is sought to be imposed, in case, they are validly pursuing the vocation as per the norms prescribed. Hence, in case any police official harasses the petitioners and the petitioners file a representation, the same will be decided in a time bound manner by the authorities concerned so as to redress the grievance of the petitioners.*
>
> *5. Learned counsel for the petitioners submits that keeping in*

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> *view the statement made by learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any further but liberty be given to the petitioners that in case any police official harasses the petitioners in continuing with the sale of the products on which the restriction is yet to be imposed, the petitioners shall file appropriate representation with the respondents.*
>
> *6. It is directed that in case, any representation is filed by the petitioners, the same will be decided by the respondents within a period of 04 weeks from the date of receipt of any such representation.*
>
> *7. Present petition is disposed of having been not pressed any further with liberty as prayed for.*"

3. In the aforementioned circumstances, the petitioners have filed the present writ petition before this Court, on the plea that the notification dated 15.12.2025 (Annexure P-2) has caused economic hardship to the petitioners which has further threatened their livelihood by infringing their fundamental rights to carry on with their occupation, trade or business as guaranteed under Article 19(1)(g) of the Constitution of India.

4. Per contra, learned State counsel has opposed the submissions made by learned counsel for the petitioners. He submits that so far as the order dated 25.02.2026 (Annexure P-6) passed by a Division Bench of this Court is concerned; the same was passed in the circumstances that on the said date, there was no clarity as regards the issuance of prohibitory orders by the concerned departments. It is submitted that even the wordings of the said order (Annexure P-6) is to the effect that till the restrictions are imposed by the Administrative Secretary of the concerned department, the petitioners therein are not to be stopped from selling any products on which restriction

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is yet to be imposed, in case, they are validly pursuing the vocation as per the norms prescribed.

4.1 Learned counsel for the parties have also handed over in Court today, a copy of the order dated 23.04.2026 passed by a Division Bench of this Court in CWP No.12558 of 2026, which is taken on record, subject to all just exceptions. Relevant extract thereof reads thus:-

> "*6. At the outset, learned counsel for the respondent-State submits that in case, no prohibitory Notification has been issued so far by competent authority, not only the notices issued to the petitioners will be withdrawn and the shops in case sealed, will be opened by 10 a.m tomorrow i.e. 24.04.2026 but also they will not be harassed any further while continuing their vocations till any such notification/prohibitory order is issued by the competent authority and in case, any such prohibitory order is issued, the same will be brought to the notice of the petitioner that the action so taken is in consonance with the Notification dated 15.12.2025 (Annexure P-1) coupled with the prohibitory order so passed.*
>
> *7. Learned counsel for the respondent submits that in case, any of the petitioners brings to the notice of the Commissioner Police, Amritsar or Deputy Commissioner with regard to the harassment of continuing their vocations any authority despite non-issuance of the prohibitory order in terms of Notification dated 15.12.2025, appropriate action will be taken.*
>
> *8. Learned counsel for the petitioner submits that keeping in view the statement of the learned State counsel, the present petition is disposed of as having been not pressed any further with liberty to challenge such actions including the Notification dated 15.12.2025 (Annexure P-1) issued by the*

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Government of Punjab as well as any such prohibitory order passed for implementation of Notification dated 15.12.2025 (Annexure P-1) so issued in case, the grievance of the petitioners still persists.

9. Ordered accordingly."

4.2 While referring to the above extracted order, it is pointed out by learned State counsel that the said order dated 23.04.2026 passed in CWP No.12558 of 2026 is also conditional to the effect that in case no prohibitory order had been issued by the competent authority so far, in that eventuality, notices issued to the petitioners therein were to be withdrawn and sealed shops were to be opened by 10 A.M. of 24.04.2026, and also that no one would be harassed any further till any such notification/prohibitory order is issued by the competent authority.

4.3 Learned State counsel has further handed over in Court a copy of the prohibitory order dated 24.12.2025, issued by the Government of Punjab, which is taken on record, subject to all just exceptions. Another copy thereof has also been handed over to learned counsel for the petitioners, in Court today itself. Relevant extract of the aforesaid prohibitory order dated 24.12.2025 reads as under:-

"

Government of Punjab
Department of Animal Husbandry, Fisheries and Diary Development
(Animal Husbandry-2 Branch)
Order
Punjab, the 24 December, 2026

No.32/107/2025-AH2(8)/18670 *In pursuance of the directions conveyed vide Home Affairs Department notification n. HOME-PS-20MISC/1/2025-3PB2/257 dated 15.12.2025 (Point 3- Copy attached), the Governor of Punjab is pleased to issue prohibitory orders for the sale and use of meat within the walled city of Amritsar*

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and the municipal limits of Sri Anandpur Sahib in district Rupnagar and Talwandi Sabo (Sri Damdama Sahib) in district Bathinda, declared as Holy Cities of the State of Punjab.

The restrictions shall be enforced with immediate effect in the above specified area.

Any violation of these orders shall be dealt with in accordance with the provisions of the relevant laws and rules in force in state.

Chandigarh *(Rahul Bhandari)*
Dated23/12/2025 *Principal Secretary to Govt. of Punjab*
Department of Animal Husbandry,
Fisheries and Diary Development.

Endst. No. 32/107/2025-AH2(8)/18671-79 Chandigarh, Dated:24-2-2025

A copy is forwarded to the following for information and necessary action please:-

1. Joint Secretary (LH), Department of Animal Husbandry and Dairying, Ministry of Fisheries, Animal Husbandry and Dairying, Government of India.
2. Animal Husbandry Commissioner, Government of India.
3. Chief Secretary to Government of Punjab.
4. Additional Chief Secretary to Govt. of Punjab, Department of Home Affairs (Press-2 Branch).
5. Principal Secretary to CM, Punjab.
6. Deputy Commissioner, Amritsar, Rupnagar and Bathinda.
7. Director Animal Husbandry, Punjab (with reference to letter no.111 Dated 17.12.2025).
8. Deputy Director, Animal Husbandry, Amritsar, Rupnagar and Bathinda.
9. Controller, Printing and Stationary Punjab for publishing it in the forth-coming Extra-ordinary Gazette.

Sd/-
Superintendent Grade-I"

4.4 While referring to the aforesaid prohibitory order dated 24.12.2025, learned State counsel submits that since the requisite prohibitory order is already in place, therefore, the petitioners cannot be permitted to sell meat or other products and/or to carry on their businesses of meat etc. within

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the walled City of Amritsar.

4.5 It is submitted that the action taken by the municipal authorities is in consonance with the notification dated 15.12.2025 (Annexure P-2) issued by the Punjab Government, whereby the walled City of Amritsar has been declared as one of the Holy Cities of the State of Punjab; read with the prohibitory order dated 24.12.2025, whereby the sale and use of meat within the walled City of Amritsar has been prohibited. Learned State counsel further submits that the prohibition regarding the selling and usage of meat within the walled City of Amritsar is a reasonable restriction, which does not violate Article 19(1)(g) and/or Article 21 of the Constitution of India.

4.6 Learned State counsel has further referred to paragraph No.12 of the instant writ petition, which reads as under:-

> "*12. That the petitioners further have no objection in case particular area is marked around the holy Gurudwara for imposing restrictions as in case of walled city of Amritsar as the ban cannot be a blanket ban for entire municipal limits.*"

4.7 By referring to the aforesaid paragraph No.12 of the writ petition, learned State counsel contends that in fact the petitioners have no serious objections as regards the notification dated 15.12.2025 (Annexure P-2).

4.8 With the aforesaid submissions, learned State counsel has prayed for dismissal of the instant writ petition.

5. I have heard learned counsel for the respective parties and perused the paper book with their able assistance.

6. The issue that arises before this Court is that whether the

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restriction imposed upon the sale of meat and non-vegetarian items within specified areas of the aforesaid holy cities, i.e. the walled City of Amritsar in District Amritsar, municipal limits of Sri Anandpur Sahib in District Rupnagar, and municipal limits of Talwandi Sabo (Sri Damdama Sahib) in District Bathinda; constitutes a reasonable restriction within the meaning of Article 19(6) of the Constitution of India.

7. Before dealing with the aforesaid issue, it is apposite to state here that since ages the above referred three places, namely the walled City of Amritsar in District Amritsar; the City of Sri Anandpur Sahib in District Rupnagar; and the City of Talwandi Sabo (Sri Damdama Sahib) in District Bathinda, occupy the highest place of reverence in Sikhism. The Holy city of Amritsar was founded in the 16th Century by Sri Guru Ram Das Ji, the fourth Guru of the Sikhs, and city evolved around the sacred Amrit Sarovar. His successor, Sri Guru Arjan Dev Ji, completed the project and located the Harmandir Sahib in its midst. Later, when Guru Arjan Dev Ji completed the writing of Holy Granth sahib, a copy of Guru Granth Sahib was ceremonially installed in Harmandir Sahib. The Holy city of Amritsar is the home to the Golden Temple, the holiest site and most visited Gurudwara not only by Sikhs/Hindus but by people of other religious faiths as well.

8. As far as Sri Anandpur Sahib is concerned, it is a historic site where Sri Guru Gobind Singh Ji established Khalsa Panth, laying down a code of discipline and collective identity. The city is home to Takhat Sri Kesgarh Sahib, the third of the five Takhts in Sikhism. It is the venue of the largest annual Sikh gathering and festivities during the Hola Mohalla in the

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spring season.

9. The Takht Sri Damdama Sahib, is one of the five takhts or Seat of Temporal Authority of Sikhism, located in Talwandi Sabo, near Bathinda (Punjab). At this place, Guru Gobind Singh, the tenth Sikh Guru, prepared and authenticated Sri Guru Granth Sahib, which continues to be regarded as a centre of scriptural learning.

10. All the aforesaid cities, i.e. the walled City of Amritsar in District Amritsar; the City of Sri Anandpur Sahib in District Rupnagar; and the City of Talwandi Sabo (Sri Damdama Sahib) in District Bathinda, embody the core sikh values of humility, equality and selfless service.

11. It is a matter of common knowledge that these three towns attract pilgrims/devotees round the year and in greater numbers during auspicious days and annual fairs. They visit Gurudwaras and stay in various religious places and institutions. There is, thus, a continuous inflow of pilgrims/devotees in these religious towns to pay their obeisance on daily basis.

12. Further, the members of several communities in India are strictly vegetarians and shun meat, fish and eggs. Such people in great number regularly and periodically visit the aforesaid three places, i.e. the walled City of Amritsar in District Amritsar; the City of Sri Anandpur Sahib in District Rupnagar; and the City of Talwandi Sabo (Sri Damdama Sahib) in District Bathinda. In these three towns people mostly assemble for spiritual attainment and religious practices.

13. It is also not disputed before this Court that India being a

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country of immense diversity, the constitutional ethos requires tolerance and mutual respect for the beliefs and sentiments of different communities. In a multi-cultural society such as ours, regulatory measures should be taken to respect the sentiments associated with places of deep religious significance. Rather, all citizens are enjoined by Fundamental Duties prescribed in Article 51-A to respect faith of each other and thereby promote harmony and spirit of common brotherhood in a pluralistic society as India is. Relevant extract thereof reads as under:-

> "*Article 51-A- "It shall be the duty of every citizen of India-*
> *(a) to (d).....*
> *(e) to promote harmony and the spirit of common brotherhood amongst all people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;*
> *(f) to value and preserve the rich heritage of our composite culture*"

14. In the aforementioned backdrop, it is also required to be noticed that over a period of time, various issues as regards the reasonable restrictions imposed on carrying out trade and profession, in terms of Article 19(6) of the Constitution of India, have been brought before various High Courts as well as Supreme Court of India and some of the identical issues (as involved in present case) have been decided by the Hon'ble Supreme Court of India.

14.1 In ***"Haji Usmanbhai Qureshi v. State of Gujarat", AIR 1986 Supreme Court 1213***; a Constitution Bench of Hon'ble Supreme Court upheld the ban on slaughter of bulls and bullocks below the age of 16 years.

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14.2 In ***"Municipal Corporation v. Jan Mohammed", AIR 1986 Supreme Court 1205***; where closure of the municipal corporation slaughter houses by the Corporation for 7 days i.e. during Janmasthami, Mahatma Gandhi's Birthday, 30th January, Mahavir Jayanti, Ram Navami, etc. was held to be valid.

14.3 In ***"State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat and Ors.", 2005(8) SCC 534***; a Seven-Judge Constitution Bench of Hon'ble Supreme Court has partially overruled the decision of the Five-Judge Constitution Bench in ***"Mohd. Hanif Quareshi v. State of Bihar", AIR 1958 Supreme Court 731***. In the aforesaid decision, the Seven-Judge Constitution Bench has observed as under:

> "*The State and every citizen of India must have compassion for living creatures. Compassion, according to the Oxford Advanced Learner Dictionary means a strong feeling of sympathy for those who are suffering and a desire to help them. According to the Chambers 20th Century Dictionary, compassion is fellow-feeling, or sorrow for the sufferings of another pity. Compassion is suggestive of sentiments, a soft feeling, emotions arising out of sympathy, pity and kindness. The concept of compassion for living creatures enshrined in Article 51-A(g) is based on the background of the rich cultural heritage of India the land of Mahatma Gandhi, Vinobha, Mahaveer, Buddha, Nanak and others. No religion or holy book in any part of the world teaches or encourages cruelty. Indian society is a pluralistic society. It has unity in diversity. The religious, cultures and people may be diverse, yet all speak in one voice that cruelty to any living creature must be curbed and ceased.*"

14.4 In ***"Om Prakash and others v. State of U.P. and others",***

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2004(3) SCC 402, it was held that a municipal bye-law prohibiting sale of meat, fish and egg in Rishikesh is valid. The relevant extract of the judgment reads as under:-

> *"25. The basic question, therefore, that arises is whether complete prohibition imposed on trade of eggs within the municipal limits of Rishikesh can be held to be reasonable and can pass the test of clause (6) of Article 19, as has been interpreted by this Court from case to case in various situations.*
>
> *26. It is a matter of common knowledge that Haridwar, Rishikesh and adjoining town Muni Ki Reti situate on the bank of river Ganges are pilgrim centres with huge temple complexes, shrines, ashrams, yoga teaching institutions and other institutions engaged in religious activities and spiritual practices. The three towns attract pilgrims round the year and in greater numbers during auspicious days and annual fairs. Pilgrims congregate in the towns to take bath in river Ganga considered to be holy by them. They visit temples and stay in various religious places and institutions. There is, thus, a continuous inflow of pilgrims in these religious towns. Every 6th year a big religious fair is organised called as Purn Kumbh or Ardh Kumbh in which crores of people from all over the country congregate in the three towns.*
>
> *27. Supporting the imposition of ban on trade of eggs along with ban on trade of meat and fish, which is already in existence, it has been stated by the State and the local authority that it was so imposed on constant demands of citizens, various organisations and institutions operating within Haridwar and Rishikesh areas. Copies of some of such representations in writing received from individuals and religious organisations have been placed on record of this*

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case. A major section of the society in the three towns consider it desirable that vegetarian atmosphere is maintained in the three towns for the inhabitants and the pilgrims.

28. In municipal limits of Haridwar public dealing in meat, fish and eggs was banned by the Notification issued as far back as on 23rd July, 1956 and in Muni Ki Reti by Notification dated 18-12-1976. These restrictions imposed in Haridwar and Muni Ki Reti have not been challenged by any section of people in the Court and have continued as fully acceptable to all. The towns of Haridwar and Rishikesh have acquired religious importance as they are located on the heights of Himalayas.

29. As a justification for extension of ban on trade of eggs with ban on trade of meat and fish in municipal area of Rishikesh which adjoins Haridwar and Muni Ki Reti, it has been stated on behalf of Municipal Board and State that during the periodical Kumbh fairs, the areas which are notified for organising Kumbh Mela comprise parts of municipal areas in Haridwar, Muni Ki Reti and Rishikesh. One such Notification earmarking the areas of Kumbh Mela held in the year 1992, issued under byclause (2) of United Province Mela Act of 1938 (UP Act No. 16 of 1938) has been annexed with counter affidavit of the State.

30. The High Court in upholding complete restriction on dealing and trading of eggs in Rishikesh has relied on several decisions of this Court. The High Court has come to the conclusion that such prohibition extended to the trade of eggs in municipal town of Rishikesh is a reasonable restriction and has been imposed in the interest of general public.

31. Whether a particular restriction on trade to the extent of its complete prohibition can be held to be reasonable within the meaning of clause (6) of Article 19 depends upon the nature of

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the trade involved and the public interest that is intended to be served by such total restriction.

32. The concept of reasonableness defies definition. Abstract definition like choice of a course which reason dictates as propounded in the earliest case of this Court in Chintaman Rao (supra) is elastic. In the subsequent case of V. G. Row (supra), therefore, this Court has observed that no abstract standard or general pattern; of reasonableness can be laid down as applicable to all cases. Legal Author Friedmann in his book Legal Theory, 4th Ed., at pages 83-85, comments that reasonableness is an expression used to convey basically the Natural Law ideal of justice between man and man. The concept of reasonable man is also an application of the principles of natural justice to the standard of behaviour expected of the citizen. The functional and conceptual implication of the term reasonableness is that it is essentially another word used for public policy. It means the application of the underlying principles of social policy and morality to an individual case. Friedmann further observes that the test of reasonableness is nothing substantially different from social engineering, balancing of interests, or any of the other formulas which modern sociological theories suggest as an answer to the problem of the judicial function.

33. The term reasonable restriction as used in Article 19(6) is highly flexible and relative term which draws its colour from the context. One of the sources to understand it is natural law and in the sense of ideal, just, fair, moral or conscionable to the facts and circumstances brought before the Court.

34. The law regulating local administration of an urban or rural area affects the social and economic life of the community. As pointed out by another Legal Thinker Stone, in his book Social dimensions of Law and Justice reasonable

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restriction, if properly used, helps in adjustments of conflicting interests such as in the present case where large number of people residing and visiting Rishikesh, believe in strict vegetarianism as a part of their religion and way of life. The appellants who are running hotels and restaurants and others like them constitute comparatively a very small section of the society engaged in carrying on trade of non-vegetarian food items in the town.

35. The reasonableness of complete restriction imposed on trade of non- vegetarian food items has, therefore, to be viewed from the cultural and religious background of the three municipal towns.

36. It is a matter of a common knowledge that members of several communities in India are strictly vegetarians and shun meat, fish and eggs. Such people in great number regularly and periodically visit Haridwar, Rishikesh and Muni Ki Reti on pilgrimage.

37. In the three towns people mostly assemble for spiritual attainment and religious practices. All citizens are enjoined by Fundamental Duties prescribed in Article 51-A to respect faith of each other and thereby promote harmony and spirit of common brotherhood in a pluralistic society as India is.

Article 51-A- "It shall be the duty of every citizen of India-

(a) to (d).....

(e) to promote harmony and the spirit of common brotherhood amongst all people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;

(f) to value and preserve the rich heritage of our composite culture;

38. The Fundamental Duties enjoined on citizens under Article 51-A should also guide the legislative and executive actions of

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elected or non-elected institutions and organisations of the citizens including the municipal bodies.

39. The resolution by Municipal Board, Rishikesh to amend its bye-laws for banning public dealing and trade of non-vegetarian food items in municipal town of Rishikesh along with adjoining towns of Haridwar and Muni Ki Reti has been taken in deference to the religious and cultural demands of large number of residents and pilgrims who visit regularly and periodically on auspicious and festive days to the three towns. It is stated on behalf of the Municipal Board that major source of revenue and employment in the three towns is from the continuous inflow of tourists and floating population of pilgrims. Maintenance of clean and congenial atmosphere in all religious places which are spread over all the three towns is in common interest of the residents, pilgirms and visitors. Continuous floating population of pilgrims benefit the inhabitants of the towns by providing them various sources of earning livelihood and employment. Tourists and pilgrims are the major sources of revenue for the Local Municipal Boards and the inhabitants of the three towns. Geographical situation and peculiar culture of the three towns justify complete restriction on trade and public dealing in non-vegetarian food items including eggs within the municipal limits of the towns. The High Court rightly upheld it to be a reasonable restriction. Trade in all kinds of food items vegetarian or non-vegetarian in adjoining towns and villages outside the municipal limits of three towns remains unrestricted and there is no substantial harm caused to those engaged in such trade.

40. For the aforesaid reasons, the impugned bye-law notified by Municipal Board, Rishikesh cannot be held to be violative of Article 19 (1)(g) of the Constitution. With this addition, I respectfully agree with the opinion of learned brother Shivaraj

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V. Patil, J. and with his conclusion that this appeal be dismissed."

15. Now coming to the case in hand, when the facts and circumstances in the present case are tested on the touchstone of above referred judicial pronouncements of the Hon'ble Supreme Court, it would be seen that the vide notification dated 15.12.2025 (Annexure P-2) read with the prohibitory order dated 24.12.2025; restrictions imposed thereby are not in respect to the whole city of Amritsar but only to the specified area, i.e. within the walled City of Amritsar, which hosts Sri Darbar Sahib. It is noticeable that trade in the aforesaid items, i.e. meat, liquor, tobacco and other likewise items, in the other parts of the city and the adjoining villages remain unrestricted and there is no substantial harm caused to the petitioners, who are trading in the wholesale supply of fish.

16. In my considered view, a limited or area-specific restriction is far less intrusive than a complete prohibition and is, therefore, more readily sustainable in law. Merely because notification dated 15.12.2025 (Annexure P-2) and the prohibitory order dated 24.12.2025, both issued by the Punjab Government, may cause "inconvenience" or some "dislocation" to the petitioners; the restriction imposed by the aforesaid notification/prohibitory order does not cease to be in the interest of general public.

17. Keeping in view the above discussion, it is held that the notification dated 15.12.2025 (Annexure P-2) and the prohibitory order dated 24.12.2025, both issued by the Punjab Government, impose a reasonable restriction in carrying out trade of meat, liquor, tobacco and other

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likewise items within the specified areas of the walled City of Amritsar in District Amritsar; which does not play foul of the provisions of Article 19(6) of the Constitution of India.

18. At this stage, learned counsel for the petitioners has made another submission that perishable meat items are lying in the sealed shops and, therefore, in order to prevent them from spoiling, appropriate directions may be issued to enable the petitioners to remove the said perishable items from the sealed premises.

19. In response to the aforesaid contention, learned State counsel has submitted that the petitioners may submit a representation to the Executive Officer, Municipal Corporation, Amritsar, indicating the date and time at which they seek to remove the aforesaid perishable meat items from the sealed shops, and in case any such representation is submitted, the same shall be considered and the sealed shops would be de-sealed for a sufficient period to enable the petitioners to remove the perishable items therefrom.

20. In my considered view, the aforesaid stand taken by learned State counsel adequately takes care of the apprehensions expressed by learned counsel for the petitioners regarding the likelihood of the perishable goods lying within the sealed shops getting spoiled. Accordingly, it is observed that in case the petitioners or any other similarly situated persons approach the Executive Officer, Municipal Corporation, Amritsar, with a request for de-sealing of their respective shops to enable them to remove the perishable goods, such request shall be considered expeditiously, and the sealed shops shall be de-sealed for a sufficient duration to facilitate the

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removal of the perishable items.

21. It is further directed that after the perishable goods are removed from the shops, the property shall be re-sealed by the concerned/competent authority. It is also observed that in case the petitioners choose to discontinue their business involving prohibited items, such as meat, liquor, tobacco, etc., and furnish an undertaking to that effect stating that they shall not deal in such prohibited items and shall instead carry on any other permissible business in the demised premises, they may submit an appropriate representation to the Executive Officer, Municipal Corporation, Amritsar. Upon receipt of such representation, the said authority shall consider the same and pass a reasoned order thereon, after affording an opportunity of hearing to the petitioners or other similarly situated persons, in accordance with law, within a period of three weeks from the date of submission of such representation.

22. In view of the above, the instant writ petition is dismissed with the aforesaid observations.

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

24.04.2026 **(HARSH BUNGER)**
Apurva **JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No

APURVA
2026.04.28 18:39
I attest to the accuracy and
authenticity of this
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