

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.21562 of 2015

Date of Decision:- 08.10.2015.

M/s Kanshi Ram Subhash Chander

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

- 1. Whether Reporters of local papers may be allowed to see the judgment?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr. Naresh Jain, Advocate for the petitioner.

SURYA KANT, J. (ORAL)

1.) The petitioner is aggrieved by the order dated 11.1.2013 whereby its claim for allotment of a bigger size plot in the new Vegetable Market at Ludhiana was rejected. The orders dated 29.10.2014 and 03.03.2015 passed by appellate and revisional authorities are also under challenge.

2.) The undisputed facts are that the petitioner being an old licensee in the Vegetable Market which has been de-notified, was allotted a plot measuring 12 x 50 square feet on 01.01.2008. The petitioner accepted that allotment without raising any objection. After more than 5 years, the petitioner filed appeal on 21.3.2013 *inter alia*

claiming that it was entitled to a bigger size plot on the analogy of M/s. Dalip Chand Ramesh Kumar to whom plot measuring 18 x 50 feet was allotted. There are other instances also quoted by the petitioner.

3.) The Appellate Authority declined to entertain the belated appeal and rejected the plea of discrimination observing that the allottees to whom larger size plots were given “were the sole occupier of their respective shops in the Old Sabzi Mandi whereas the appellant was not so.” The Revisional Authority also found no merit in the petitioner's claim.

4.) In the light of the facts noticed above, namely, that the petitioner did not raise any objection against the allotment offered to it and accepted the same unconditionally; there is a delay of more than 5 years in questioning the original allotment and; the plea of discrimination has not been established, no interference is called for in the impugned orders.

5.) Dismissed.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

October 8, 2015.

sandeep sethi