

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

CWP No.2248 of 2015
Date of decision:11.2.2015

M/s Mange Ram Paras Ram

....Petitioner

VERSUS

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Munish Bansal, Advocate for the petitioner.

HEMANT GUPTA, J.(Oral)

The challenge in the present writ petition is to an order passed by the Chief Administrator, Haryana State Agricultural Marketing Board, Panchkula on 15.12.2010 and the order passed in revision by the Principal Secretary to Government Haryana on 23.01.2014.

The petitioner as an old licensee in the Grain Market Narwana claims a plot in the new market yard on concessional rates. The claim of the petitioner has been rejected on the ground that it has not applied for a plot when the applications were invited on 15.06.2009. Since, the petitioner did not apply for the allotment of plot, therefore, his claim as an old licensee cannot be considered.

Learned counsel for the petitioner relies upon an order passed by Division Bench of this Court in CWP No.5762 of 2014 titled Puran Chand Pankaj Kumar v. State of Haryana and others, decided on 26.03.2014, whereby one of the similarly situated persons had invoked the writ jurisdiction of this Court and the claim of the aforesaid licensee was directed to be decided afresh in accordance with law.

We have heard learned counsel for the petitioner and find no merit in the present writ petition. Though, Puran Chand Pankaj Kumar was one of the old licensee whose matter was decided by the Chief Administrator on 15.12.2010, the order impugned in the writ petition but the fact remains that this Court has not directed that even if an old licensee has not applied, still his request for allotment of plot has to be considered. Since, the petitioner has not applied for allotment of plot, his claim for allotment could not have been considered as sought by the petitioner. An application for allotment is a valid pre-requisite condition without which the request of old licensee for allotment of plot could not have been entertained.

In view of the above, we do not find any merit in the present writ petition. The same is dismissed.

(HEMANT GUPTA)
JUDGE

FEBRUARY 11, 2015
‘D. Gulati’

(HARI PAL VERMA)
JUDGE