

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

CWP No.16603 of 1997 (O&M)

Date of Decision: 2.6.2016

Harjit Singh and others

... Petitioners

Versus

Punjab State Agricultural & Marketing Board, Chandigarh and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Vivek Sharma, Advocate for the petitioners

Mr.Harkesh Manuja, Addl.A.G., Punjab

Mr.TPS Chawla, Advocate

Mr.GS Handa, Advocate for the respondent-Board

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J. (Oral)

1. Heard learned counsel for the parties.
2. If the Mandi Board has cleared the case of the petitioners and they are awaiting clearance from the State Government, then this Court cannot wait endlessly only to postpone the valuable rights of the petitioners to adjudge them only on approval which may come from the State Government. In view of the law laid down by K.Kannan, J. in *Ramji Dass and others vs. State of Punjab and others* (CWP No.6583 of 1999 decided on 24th May, 2013), I would not wait or grant further adjournments as the relationship between the State Government and its Boards and Corporations has been explained that there is in fact no jural relationship between the two as far as independent

actions taken by the board towards its employees are concerned. State Government can not interfere in the internal working of autonomous bodies which can not be allowed to be hijacked by the Government or they must always wait for a nod of their independent actions, whether they are good or bad. The decision taken by the Board is final since it is an autonomous body governed by its own set of rules and regulations. When Mandi Board is prepared to give relief to the petitioners, then the decision would be treated as final and their action of seeking validation from Government as superfluous and accordingly a direction is issued to the Mandi Board to implement those orders, which may either have been passed or are proposed to be passed within reasonable time, preferably within two months from the date of receipt of a certified copy of this order. The matter is already much delayed with the petitioner waiting expectantly for too long.

3. This petition is accordingly allowed and stands disposed of with the aforesaid directions.

2.6.2016**MFK****(RAJIV NARAIN RAINA)
JUDGE**