

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 11.11.2016

1. CWP No.7785 of 1995

M/s Girraj Singh Dinesh Singh

... Petitioner

Vs.

State of Haryana and others

... Respondents

2. CWP No.14326 of 1996

M/s Dheeraj Kumar Mohinder Singh

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: None for the petitioner.

Mr. S.S. Mann, Sr. DAG, Haryana.

None for respondents No.2 & 3.

RAMESHWAR SINGH MALIK, J. (ORAL)

This order proposes to dispose of two identical writ petitions bearing CWP No.7785 of 1995 and CWP No.14326 of 1996. However, for the facility of reference, facts are being culled out from CWP No.7785 of 1995 (M/s Girraj Singh Dinesh Singh Vs. State of Haryana and others).

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioner has approached this Court, by way of present writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of mandamus.

Notice of motion was issued and pursuant thereto, written statement was filed on behalf of respondent No.3. Thereafter, vide order dated 11.08.1995, a Division Bench of this Court directed the respondents to issue licence to the petitioner within a period of one week. The order dated 11.08.1995 reads as under: -

“CM No.8014 of 1995 is allowed and replication taken on record. The main case is adjourned to October 19, 1995, for arguments. Meanwhile the respondents are directed to issue licence to the petitioner within a week from today. A copy of this order be supplied Dasti to the petitioner's counsel on usual costs.”

Vide order dated 17.07.1996, CWP No.7785 of 1995 was admitted and it was ordered to be heard along with CWP No.10885 of 1995. Interim directions were ordered to continue. CWP No.14326 of 1996 was admitted vide order dated 16.09.1996 passed by a Division Bench of this Court and it was ordered to be heard along with CWP No.7785 of 1995. In the meanwhile, respondents were directed to grant licence of Kacha Ahratia to the petitioner.

Abovesaid CWP No.10885 of 1995 along with two identical writ petitions came to be dismissed, as having been rendered infructuous by this Court vide order dated 04.12.2014 and the order reads as under: -

“There is no representation for the petitioners. The counsel for the respondent-Market committee states that the petitioners' grievance stand redressed and licences have been extended upto 31st March, 2015 and shows an order of the Market Committee, Hodal, to that effect, a copy of which is taken on record. The writ petitions are dismissed as having become infructuous.

The petitioners will have independent remedy for any future cause of action that may arise in the event of violation of any other subsisting right which the petitioners contend for.”

In view of the abovesaid undisputed fact situation on record of the case, both these writ petitions are ordered to be disposed of, as having been rendered infructuous. However, if any fresh cause of action arises in favour of the petitioner in future, it shall be liberty to avail appropriate remedy before the appropriate forum, in accordance with law.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

11.11.2016
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No