

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

CWP No.12591 of 2015

Date of Decision:-12.05.2016

Raj Kumar Shiv Shakti

. . . .Petitioner

Versus

Secretary, State Agricultural Marketing Board, UT and another

. . . . Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Rakesh Bhatia, Advocate,
for the petitioner.

Mr.K.K. Gupta, Advocate,
for the respondents.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed to challenge the letter/order dated 15.6.2015 (Annexure P-8) by which application filed by the petitioner for change of the name of the firm from M/s Raj Kumar Shiv Shakti to M/s Raj Kumar Shiv Baba and also for change of the address from SCF No.18, Subzi Mandi, Sector 26, Chandigarh to SCF No.3, Subzi Mandi, Sector 26, Chandigarh, for the purpose of obtaining licence of Kacha Ahartiya, under Section 10 of the Punjab Agricultural Produce Markets Act, 1961 (as applicable to UT) has been declined.

After notice, learned counsel for the respondents has raised only one objection pursuance to the application submitted by the petitioner for obtaining fresh licence in terms of the order dated 18.8.2015 of the Ground Floor of SCF No.3, Subzi Mandi, Sector 26, Chandigarh that the rent agreement, submitted by the petitioner is for three years but it is not registered. There is no dispute that if the rent agreement is entered into between the parties is for more than

11 months then it requires registration. It is also not disputed that if a document requires registration and is not registered then it does not have any evidentiary value.

Faced with this difficulty, learned counsel for the petitioner submits that he would get the rent deed registered and produced before the respondents, who may be directed to consider his case and decide the same expeditiously.

After hearing learned counsel for the parties and keeping in view the facts and circumstances of the case, the present petition is hereby disposed of with liberty to the petitioner to get the rent agreement (Annexure P-6) registered, in accordance with law, and on its production to the respondents, the respondents shall issue licence to the petitioner of Kacha Ahartiya expeditiously with the change of the name and address of the firm.

12.05.2016

Vivek

(RAKESH KUMAR JAIN)
JUDGE