

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-23093-2016

Date of decision: 08.11.2016

Kola Ram and others

..... Petitioners

Versus

Punjab State Agricultural Marketing Board and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. Anil Chawla, Advocate for the petitioners.

AJAY KUMAR MITTAL, J. (ORAL)

1. The petitioners in the present writ petition filed under Articles 226/227 of the Constitution of India, *inter alia*, seeking a writ in the nature of *Certiorari*, quashing the auction held on 30th August, 2016, in favour of respondents No. 4 to 12, which is against the Punjab State Agricultural Marketing Board (Sale and Transfer of Plots) Rules, 1999 as amended January (2008), and Rules, 2014. A further prayer for direction to the respondents to consider the case of the petitioners for allotment of a shop in the Fish Market, Amritsar, as per Rules, 1999, has also been made.

2. After arguing for sometime, learned counsel for the petitioners states that he may be allowed to withdraw the present writ petition with liberty to the petitioners to file a detailed and comprehensive representation before the concerned respondents, raising all the pleas as have been sought to be raised in the present writ petition. However, a prayer was made that a

time bound direction be issued to the concerned respondents to decide the

same, after affording an opportunity of hearing to the petitioners and by passing a speaking order, in accordance with law.

3. After hearing learned counsel for the petitioners, perusing the averments made in the present petition and without expressing any opinion on the merits of the controversy, it is observed that the petitioners have approached this Court at the first instance, whereas, the appropriate remedy for the petitioners is to file a detailed and comprehensive representation before the concerned respondents, raising all the pleas as have been sought to be raised in the present writ petition. Accordingly, we consider it appropriate to dispose of the present writ petition with liberty to the petitioners to file a detailed and comprehensive representation before respondent No. 2 within a period of 15 days from today. The same shall be decided by respondent No. 2 within a period of next one month, after affording an opportunity of hearing to the petitioners and the concerned respondents and by passing a speaking order, in accordance with law.

**(AJAY KUMAR MITTAL)
JUDGE**

November 08, 2016

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No