

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

**CWP No. 26221 of 2015 (O&M)
Date of decision: 19.08.2016.**

Anil Kumar

..... Petitioner.

Versus

State of Punjab and others

.....Respondents.

**CORAM: HON'BLE MR. JUSTICE S.S. SARON
HON'BLE MS. JUSTICE LISA GILL**

Present: Mr. Anil Kumar – petitioner in person.

Ms. Ritu Punj, Additional Advocate General, Punjab,
for respondents No. 1, 5, 6 and 10.

Mr. S.P. Garg, Advocate, for respondents No. 2, 4 and 8.

None for respondents No. 7 to 9.

S.S. SARON, J.

The petitioner, who is appearing in person, does not possess a copy of the petition that he has filed. Therefore, he is unable to assist the Court or submit his case.

Mr. S.P. Garg, learned counsel appearing for respondents No. 2, 4 and 8 has submitted a communication dated 25.04.2016, which is to the effect that the auction that was conducted on 03.12.2015 in Old Anaj Mandi, Mansa of its old office building has been cancelled and the auction money of Rs.2,23,000/- has been refunded to the successful bidder on 02.02.2016. Therefore, it is submitted by the learned counsel that nothing survives in the present petition and it is for the State to ascertain as to

Municipal Council, Mansa or the Punjab Mandi Board.

The writ petition has been filed in the nature of public interest for taking appropriate legal/disciplinary/departmental action against the illegal auction done by the Market Committee officials, General Manager, Punjab Marketing Board (respondent No. 4), as they had auctioned the property of the Municipal Council, Mansa.

According to the petitioner, erstwhile PEPSU Government had issued notification No. 16 dated 17.05.1950 (Annexure P1) in terms of which it was provided that in pursuance of Section 56 of the Punjab Municipal Act, 1911 in force shall apply *mutatis mutandis* to the Patiala and East Punjab States Union (PEPSU) and Section 19 of the Patiala Small Town Act, 1995 B.K., the Government was pleased to order that all lands or buildings belonging to the Government except; (1) Hospitals and Dispensaries; (2) Educational Institutional such as School etc.; (3) Post Offices and Sub-Post Offices; (4) Court Building and Court Compounds; (5) Telephone Offices; (6) Patiala State Bank Buildings; and (7) Rest Houses and State Houses; shall vest in and be under the control of the Municipal Committee or Small Town Committees within whose limits the same are situated subject to the reservations. Despite the said notification, the Punjab State Marketing Board, it has been alleged, had auctioned the old building of the Market Committee office, which was the cause of grievance of the petitioner.

In terms of the communication dated 25.04.2016 submitted by learned counsel appearing for the Market Committee, the auction has been

cancelled and an amount of Rs.2,23,000/- has been refunded to the successful bidder and nothing survives in the present petition and in case the petitioner has any grievance, he may take other remedies in accordance with law.

In the facts and circumstances, the writ petition is disposed of.

(S.S. SARON)
JUDGE

19.08.2016
Ramesh

(LISA GILL)
JUDGE

Note:

1.	Whether speaking/reasoned	:	Yes
2.	Whether reportable	:	No