

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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**Civil Writ Petition No.5818 of 2015(O & M)
Date of Decision:04.02.2016**

Surinder Singh

....petitioner

Versus

State of Haryana and others

.....respondents

**CORAM: HON'BLE MR.JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI**

Present: Mr.Raman B.Garg, Advocate
for the petitioner

Mr.Rahul Dev Singh, DAG Haryana

Mr.Sudeep Mahajan, Advocate
for respondents No.2 and 3

S.J.VAZIFDAR, ACTING CHIEF JUSTICE (ORAL):

The petitioner has challenged the order dated 17.11.2011 passed by the Revisional Authority, dismissing his revision petition, on the ground of delay in filing the petition beyond the period prescribed in Section 40 of the Punjab Agricultural Produce Markets Act, 1961.

The order of the Appellate Authority was passed on 23.06.2010. The petitioner contends that he obtained a copy of the order only on 16.05.2011 upon making inquiries and making an application to the Market Committee by his letter dated 16.05.2011. Learned counsel for respondents No.2 and 3 contends that copies of the order had been handed over to the petitioner's counsel, when it was passed. In any event, according to learned counsel for respondents No.2 and 3, another copy was tendered by hand delivery on 28.10.2010.

On the basis of the available record, it is difficult to disbelieve the petitioner. There was no reply to the application for condonation of delay. In

the facts and circumstances of the case, the ends of justice require the petitioner's revision petition to be decided on merits.

In the circumstances, the impugned order dated 17.11.2011 passed by the Revisional Authority is quashed and set aside. The delay, if any, in filing the revision petition shall stand condoned. The Revisional Authority shall decide the revision petition on merits.

The petition stands disposed of.

**(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE**

**(ARUN PALLI)
JUDGE**

February 04, 2016

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