IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.5940 of 2016
Date of Decision : 30.03.2016.

M/s Mahadev Fruit Agency and others

.....Petitioners

Versus

The 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. Jagdish Manchanda, Advocate for the petitioners.

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

Issue notice of motion.

2. Service is waived qua respondents as Mr. Deepak Balyan, Addl. A.G. Haryana accepts notice on their behalf. Let a complete set of paper book be supplied to him during the course of the day.

3. The petitioners contend that they are entitled to be allotted premises in the New Sabji Mandi on account of the old sabji mandi having been de-notified in the year 2014. The petitioners' entitlement to premises is pending in appeal before the revisional authority. In the meantime, the respondents intend to vacate the old sabji mandi occupied by all the occupiers.

4. The question is as to whether the petitioners did occupy or were carrying on business in the old sabji mandi is yet to be decided in the appeal.

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5. The petitioners can always make an application for interim relief in the appeal itself. The revisional authority is a fact finding authority.

6. In the circumstances, the petition is disposed of with liberty to the petitioners to apply for interim relief before the revisional authority. In order to enable them to do so, the parties are directed to maintain *status quo* up to 30.04.2016. Needless to clarify that it would be open to the revisional authority to decide the appeal itself before the next date of hearing.

7. Copy *dasti* under the signatures of the Bench Secretary.

(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE

30.03.2016 **(ARUN PALLI)**
Manoj Bhutani **JUDGE**

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