

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

CWP No.6910 of 2015
Date of decision: 17.10.2016

Pitamber Singh & ors.

.... Petitioners

versus

State of Haryana & anr.

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. Suman Jain, Advocate
for the petitioners.

Mr. P.P.Chahar, DAG, Haryana.

Mr. Lokesh Sinhal, Advocate
for respondent No.2.

Rakesh Kumar Jain, J.(Oral)

The petitioners in this case are allegedly the farmers hailing from Uttar Pradesh, who have challenged the letter dated 26.11.2014 issued by respondent No.2 giving directions to all the Secretaries of Market Committees to stop the arrival of agricultural produce from outside the State of Haryana.

After notice, the respondents have filed reply in which it is averred that there is no ban imposed by the respondents on the genuine farmers, who are either from the State of Haryana or any other State to sell their agricultural produce in the Mandis of the State of Haryana. It is alleged that respondent No.2 has taken this decision to protect the genuine farmers because the respondents have been informed that some unscrupulous petty traders are purchasing paddy/wheat from the farmers directly or from the Mandis like in UP at a lower rate/below the MSP and

are bringing it for sale at the MSP in the Mandis in the State of Haryana.

Learned counsel for respondent No.2 has submitted that if the petitioners are farmers and are intending to bring their agricultural produce in the State of Haryana then there is no impediment in their way but if they are found to be the traders then the ban imposed shall be operative.

Learned counsel for the petitioners has submitted that the petitioners are the genuine farmers and not the traders.

Be that as it may, if the petitioners are farmers then as per the statement made by learned counsel for respondent No.2 and also the stand taken in the reply, there is no impediment in the way of farmers in approaching the Mandis of State of Haryana for the purpose of selling their agricultural produce.

Consequently, the present petition is disposed of with above note.

17.10.2016
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(Rakesh Kumar Jain)
Judge