

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

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**CWP No.8110 of 2001 (O&M)**

**Date of Decision: 02.03.2017**

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M/s Rakesh Trading Company ... Petitioner

VS.

State of Haryana & Ors. ... Respondents

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**CWP No.8621 of 2001 (O&M)**

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M/s Naresh Kumar Parveen Kumar ... Petitioner

VS.

State of Haryana & Ors. ... Respondents

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**CWP No.5134 of 2002 (O&M)**

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M/s Saini Trading Company ... Petitioner

VS.

State of Haryana & Ors. ... Respondents

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**CORAM: HON'BLE MR.JUSTICE SURYA KANT**

**HON'BLE MR.JUSTICE SUDIP AHLUWALIA**

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Present: Mr. Jagdish Manchanda, Advocate for the petitioners

Mr. Deepak Balyan, Addl. AG Haryana

Ms. Akanksha Nayyar, Advocate for  
Mr. Amar Vivek, Advocate for HUDA

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**SURYA KANT, J. (Oral)**

(1) This order shall dispose of the above-captioned writ petitions as the point in issue is common. For adjudication, CWP No.8621 of 2001 is treated as the lead case.

(2) The petitioner seeks a direction for allotment of shop site/plot in the New Grain Market at Pipli, Kurukshetra. The case of the petitioner is that it has a valid licence granted by the Market Committee, Pipli since the year 1988. The petitioner is allegedly engaged in the business in the old Grain Market at Pipli and it falls in category 'B' (Class-II) licence-holders.

(3) The State Agricultural Marketing Board decided to set up a New Grain Market at Pipli by de-notifying the old market. The petitioner

accordingly applied for allotment of plot at the concessional rate and on preferential basis in accordance with the provisions of the policy which was prevalent at that time (Annexure P3 & P4). Subsequently, the State Government has formulated Rules in exercise of its powers under the Punjab Agricultural Produce Markets Act, 1961 as applicable to the State of Haryana for making such allotments.

(4) The record reveals that the above-stated claim was earlier raised by the petitioner by way of a representation dated 12.05.1995 (P8) and the same having not been accepted, the instant writ petition was filed in the year 2001. Since then, the matter is pending consideration.

(5) The respondents have not filed written statement so far. There is nothing on record to indicate as to on what basis the petitioner was not found eligible for allotment of plot being an old licensee. As no useful purpose would be served by keeping the writ petition pending, we dispose of the same without expressing any views on the petitioner's entitlement, with a direction to respondents No.2&3 to ascertain and determine the petitioner's claim by way of a self-speaking order within a period of three months from the date of receipt of certified copy of this order. Meanwhile auction, if any, will not prejudice the petitioner's right.

(6) Ordered accordingly.

**(Surya Kant)**  
**Judge**

**02.03.2017**  
*vishal shonkar*

**(Sudip Ahluwalia)**  
**Judge**

1. Whether speaking/reasoned?  
2. Whether reportable?

**Yes**  
**No**