

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

CWP No.1054 of 2015

Date of Decision: 17.08.2017

M/s Guru Pesticides and Machinery Store

---Petitioner

Versus

Punjab State Agricultural Marketing Board and others

----Respondents

Coram: **HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE**
 HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. L.S. Sidhu, Advocate for the petitioner.

Mr. Anish Batra, Advocate
for respondents No.1 to 5.

S.J. VAZIFDAR, CHIEF JUSTICE

The petitioner has challenged the action of respondents No.1 to 3 by adding four shops bearing Shop Nos.429/1, 429/2, 468/1 and 468/2. The petitioner is the owner of shop No.428. There are several rows of such shops. Each row contains several shops. On one side of petitioner's shop No.428, there already exists shop No. 429. It is abutting this shop No.429 that shops Nos.429/1 and 429/2 have been added. On the other side of the same block, abutting the petitioner's shop is shop No.468. Respondents No.1 to 3 have added along side shop No.468 and abutting shops No.429/1, 429/2, shop Nos.468/1 and 468/2. The petitioner contends that by adding the shops, the width of the road which provides the access to the existing shops has been reduced.

2. The petitioner is the only party who appears to have complained against this proposed action. That by itself makes no difference. However, the petitioner has not invited our attention to any provision of law which contravenes the action.

3. It is not his case that the road violates any requirement including a minimum width of the road to be maintained. It is not his case that the sanction was not granted in accordance with law. Our attention has not been invited to any provision of law that has been contravened in the process.

4. The mere fact that the additional shops lead competition would not be a ground for opposing the construction of new shops.

5. In view of the facts and circumstances, this petition is dismissed.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(HARINDER SINGH SIDHU)
JUDGE

17.08.2017
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Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No