

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

CWP No.16498 of 2015  
Date of Decision: 12.07.2017

M/s Herchand Singh and others ---Petitioners

Versus

State of Haryana and others ----Respondents

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

**Present:** Mr. Brjinder Kaushik, Advocate  
for the petitioners.

Mr. Suvir Sehgal, Advocate  
for respondents No.2 to 4.  
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**S.J. VAZIFDAR, CHIEF JUSTICE**

The petitioner has sought a writ of mandamus directing the respondents to allot a site/plot at a reserve price at the New Fodder Market under the Haryana Agriculture Produce Markets Act, 1961 and the Rules framed thereunder under the reserve category of old licensees shifted from the Old Fodder Market and a writ of mandamus directing the respondents to decide their representation dated 22.01.2015 (Annexure P-12) for allotment of such premises.

The petitioners only grievance at this stage is that their representation has not been considered.

Mr. Suvir Sehgal, learned counsel appearing for respondents No.2 to 4 relied upon the reply filed by respondents No.2 to 4, which raises several grounds including that as per Rule 3(2B) of Haryana State Agricultural Marketing Board (Sale of Immovable Property) Rules, 2000, the agents such as petitioners are not entitled to operate from booths.

Learned counsel for the petitioner on the other hand contends that there are various ways in which petitioners can operate even if the Rules are held to be valid. He further states that in the event of their representation being rejected, they may consider challenging the aforesaid Rules as well. He further states that at this stage the petitioner ought not to be precluded from exploring various options.

In these circumstances, this petition is disposed of by directing the respondents to consider and decide the representation dated 22.01.2015 (Annexure P-12) in accordance with law by 31.10.2017. The petitioners shall also be at liberty to supplement their representation if they so desire by 10.08.2017. Mr. Sehgal, learned counsel for respondents No.2 to 4 states that it is respondent No.3, who would consider the matter and decide the representation of the petitioners.

(S.J. VAZIFDAR)  
CHIEF JUSTICE

(HARINDER SINGH SIDHU)  
JUDGE

12.07.2017  
atul

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No