

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

(115)

CWP-2154-2017

Decided on: February 06, 2017.

M/s Kuldeep Sharma & Company

.... Petitioner

Versus

State Agricultural Marketing Board and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Rakesh Bhatia, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Petitioner has filed this writ petition under Article 226 and 227 of the Constitution of India seeking issuance of a direction to the respondents to issue/grant the licence to the petitioner under Section 10 of the Punjab Agriculture Produce Markets Act, 1961 (as applicable to U.T. Chandigarh) as per its application dated 01.06.2016, copy of which has been appended as Annexure P-1.

I have heard learned counsel for the petitioner.

There is a statutory obligation of the public authorities for consideration of the application for licence, cancellation or suspension. There are three contingencies provided under Section 10 (3) of the said Act for refusing to issue the licence.

Learned counsel for the petitioner has informed that his application for licence has probably not been considered till date as the petitioner has not received any information.

It is not out of place to observe here that as per provisions of Section 10 (4) of the said Act, an appeal is provided against the refusal of the licence.

Without expression of any opinion on merits regarding the maintainability of the petition, at this stage, I deem it appropriate to dispose of this petition with a direction to the Secretary of State Agricultural Market Board, Chandigarh to take final decision on the application Annexure P-2 and communicate the same to the petitioner within a period of one month after the receipt of certified copy of this order.

It will be the duty of the petitioner to intimate the order passed by this Court by supplying a copy of the writ petition and the order in the office of Secretary, State Agriculture Market Board, Chandigarh.

(M.M.S. BEDI)
JUDGE

February 06, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No