

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

CWP-1168-2016 (O&M)

Date of Decision: August 08, 2018

M/s Himmat Ram and Sons and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

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

Present: Mr.Sushil Jain, Advocate for the petitioner.

Ms.Shubhra Singh, Addl.AG, Haryana.

Mr.Sandeep Moudgil, Advocate for respondent No.3.

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SURYA KANT, J.(ORAL)

The question involved in this writ petition is re: allotment price in respect of the plots allotted to the old licensees in the New Vegetable Market at Hisar. The petitioners are the old licensees and their case is that on 27.06.2011, the draw of lots was held for allotment of plots and the price fixed was ₹21,52,000/-. On the other hand, learned counsel for the Board states that the allotment price as determined on the date of issuance of allotment letter is to be charged and the same has been accordingly revised/levied under the orders of the Chief Administrator of the Board.

[2] We have heard learned counsel for the parties and are of the considered opinion that controversy re: the allotment price to be levied on the old licensees can be effectively determined by the State Government in exercise of its appellate powers under Section 40(3) of the Haryana

Agricultural Produce Markets Act, 1961. The petitioners have raised some other issues as well which can also be determined by the State Government-cum-Appellate Authority. The writ petition is accordingly disposed of, relegating the petitioners to avail the remedy of appeal. It is directed that if the petitioners file the appeal within four weeks from the date of receipt of a certified copy of this order, the respondent-Board or the Appellate Authority shall not raise any objection re: limitation and the appeal shall be decided on merits after hearing the parties and by way of a reasoned order within a period of four months from the date of filing of the appeal.

(SURYA KANT)
JUDGE

August 08, 2018
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(SUDIP AHLUWALIA)
JUDGE

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|---------------------------------------|---------------|
| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |