

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-4226-2018 (O&M)

Date of decision:- 21.02.2018

M/s Sharda Cotton Factory

...Petitioner(s)

Versus

The State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE
HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present:- Mr. Sandeep Goyal, Advocate,
for the petitioner(s).

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S.J. VAZIFDAR, C.J. (ORAL)

The petitioners seek a writ of mandamus directing the respondents to refund the market fee collected from them in excess of 0.80%.

2. The petitioners base their claim on the grounds of promissory estoppel and legitimate expectations. The petitioners contend that in the past the government has reduced the market fee from 2% to 0.80% and that the respondents have held out that they would do so for the season of 2016-2017 as well. We are not inclined at this stage to consider whether the market fee ought to be reduced at all. That is for the respondents to decide in the first instance.

3. The petition is, therefore, disposed of by requesting respondent No. 1 to take a decision as to whether or not it intends reducing the market fee for the said period, namely, season 2016-2017. In the event of the petitioners not being satisfied with the decision, they are at liberty to challenge the same. We would request respondent No. 1 to take a decision as expeditiously as possible.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(AVNEESH JHINGAN)
JUDGE

21.02.2018

Amodh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No