

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

**CWP No.8806 of 2018 (O&M)  
Date of decision: 19.07.2018**

**Sahil Sharma**

**...Petitioner**

**Versus**

**State of Punjab and others**

**...Respondents**

**CORAM:HON'BLE MS. JUSTICE RITU BAHRI**

Present: Mr. Rajnder Kumar Singla, Advocate,  
for the petitioner.

Ms. Ambika Sood, DAG, Punjab.

Mr. Bikramjit Singh Bajwa, Advocate,  
for respondent Nos. 5 and 6.

Mr. Sanjeev Soni, Advocate,  
for respondent No.7.

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**Ritu Bahri, J.**

This petition under Article 226 of the Constitution of India is for issuance of writ in the nature of certiorari quashing the order/letter dated 31.03.2018 (Annexure P-5), whereby Block Development and Panchayat Officer, Batala-respondent No.4 has informed the petitioner that he is carrying on illegal business of sale purchase of sheeps/goats at Cattle Fiar Ground, Batala and he has no authority to run this business. Vide this letter, the petitioner has been directed to stop his business immediately.

Grievance of the petitioner was that this letter was issued by respondent No.4 under the influence of respondent nos. 5 and 6 just to cause financial loss to the petitioner.

Upon notice, reply dated 06.07.2018 on behalf of respondent Nos.1 to 4 has been filed, stating therein that vide letter (Annexure R-4/1T), the Government of Punjab has issued terms and conditions for the auction of cattle fair for the year 2017-18. Thereafter, the department proceeded to invite tender through e-auction notice dated 27.05.2017, which was published in various newspapers namely Rozana Ajit, The Tribune, Punjabi Tribune, Dainik Bhaskar etc. Pursuant to the said notice, applications were received from interested bidders, which were considered by the committee. Thereafter, the tender was given to M/s United Cattle Fair Organizers being the highest bidder for 12 months commencing w.e.f. 01.07.2017 to 30.06.2018. In this regard, an agreement was signed on 03.08.2017. The above said company was authorized to do the business of sale and purchase of cattle within the jurisdiction of Market Committee, Batala vide letter dated 30.06.2017 (Annexure P-1). However, M/s United Cattle Fair Organizers has further authorized the petitioner to do the business of sale and purchase of cattle, which was against the terms and conditions issued by the State Government. In this regard, a complaint (Annexure R-4/2T) was made by one of the partners namely Ram Singh. In this background, letter dated 31.03.2018 (Annexure P-5) was written to the petitioner directing him not to carry out the illegal business of sale and purchase of cattle till 05.04.2018. A similar letter was also written by Director, Rural Development and Panchayat Department on 05.04.2018 (Annexure R-4/3T) to the District Development and Panchayat Officer, Gurdaspur, stating that the private persons should be stopped to do the business of sale and purchase of goats/sheeps in District Batala by taking the help of Civil Administration and Police Administration.

As per short reply filed by respondent Nos.5 and 6, they have admitted that the contract has been given to M/s United Cattle Fair Organizers. It was stated that the said company has no power to further delegate the contract to any one.

The petitioner has placed on record a certificate dated 16.07.2018 (Annexure P-16), whereby he has been authorized by contractor i.e. M/s Shadab Ravinder & Co. to do the business of sale and purchase of all animals at Batala. Thereafter, the Deputy Director Rural Development and Panchayat Department has written a letter to supply the Cattle Fair List for the year 2018.

During the pendency of this petition, contract given to M/s United Cattle Fair Organizers has since come to an end. Learned counsel for respondent Nos.5 and 6 states that they are not interfering in the work allotted to the petitioner.

Since the earlier contract has come to an end, no further orders are required to be passed in this petition.

Disposed of accordingly.

19.07.2018  
ajp

(RITU BAHRI)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |