

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-9289-2018

Date of Decision: 19.4.2018

M/s Bath Trading Company and others

....Petitioners.

Versus

Punjab State Agricultural Marketing Board, Mohali and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

PRESENT: Mr. Sarbjit Singh, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of mandamus directing the respondents to provide the platforms to the petitioners in front of their shops at New Grain Market, Sultanpur Lodhi, Kapurthala or in the alternative to consider their representation and legal notice (Annexures P-7 and P-8, respectively).

2. The petitioners have been allotted shops in an open auction at New Grain Market, Sultanpur Lodhi as is clear from some of the allotment letters (Annexures P-1 to P-5, respectively) for running of their business of sale and purchase of grains. The respondents without seeing the layout of the shops and without carrying on a field survey had given auction platforms/space/parking places to the commission agents which was neither

map, Annexure P-6. Accordingly, the petitioners moved a representation dated 1.9.2017 (Annexure P-7) to respondents No.2 and 3 for providing the platforms in front of their shops at New Grain Market, Sultanpur Lodhi, Kapurthala, but to no effect. Thereafter, the petitioners served a legal notice dated 22.2.2018 (Annexure P-8) to the various authorities including the respondents, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have sent the representation dated 1.9.2017 (Annexure P-7) followed by a legal notice dated 22.2.2018 (Annexure P-8) to various authorities including the respondents, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.1 to take a decision on the representation dated 1.9.2017 (Annexure P-7) followed by a legal notice dated 22.2.2018 (Annexure P-8), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of two months from the date of receipt of the certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

April 19, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No