

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-1064-2019 (O&M)
Date of Decision: 24.01.2019

Chavi Goyal & others

--Petitioners

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sudhir Kashyap, Advocate for the petitioners.

Ms. Bhavna Gupta, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

Instant writ petition has been filed seeking a Mandamus for issuance of directions to the official respondents under the State of Punjab to permit the petitioners to run their lottery business from their respective shops/premises situated in Dhuri, district Sangrur.

It is the assertion made by counsel that the business of lottery in the State of Punjab is regulated by the Lotteries (Regulations) Act, 1998, Lotteries (Regulations) Rules, 2010 and the Punjab State Lotteries Rules, 2015. Petitioners claim themselves to be engaged in the business of running Punjab State Online Lottery for the last 10 years.

The writ petition has been filed raising a grievance that the S.S.P., Sangrur, D.C., Sangrur as also the S.H.O, Police Station, City Dhuri, Tehsil & District Sangrur are obstructing and restraining the petitioners in one way or the other from running the lottery business and for which the petitioners, otherwise, have necessary authorization from the State Govt. A communication dated 23.11.2009 (Annexure P-7) which has been addressed by the State Govt., Department of Finance, Directorate of Lotteries and to all the S.S.Ps across the State, has been relied upon. As per such

communication an advisory has been issued to all the S.S.Ps across the State that there is no requirement of any special permission/orders from the District Magistrate or the Department of Lotteries to run the business. It is argued that inspite of such communication dated 23.11.2009 (Annexure P-7), the petitioners are being harassed unnecessarily.

Having heard counsel for the petitioners at length, this Court is of the considered view that no intervention is called for in the light of the pleadings and material on record.

It is the case of the petitioners themselves that the State Govt. has given due authorization to certain Marketing Agents for running the lottery business i.e. M/s Martin Lottery Agency Ltd. and M/s Sugul and Damani Enterprises Pvt. Ltd. Furthermore, the Marketing Agents have appointed distributors/stockists i.e. M/s Garg Lottery Agency, Bathinda and M/s Punjab Trading Company, Patiala. The petitioners herein claim themselves to be the retailers/sellers on behalf of the distributors/stockists afore-noticed. However, no document has been placed on record or adverted to during the course of hearing to substantiate that the petitioners herein are the retailers appointed by the distributors/stockists of the Marketing Agents which otherwise have been authorized by the Punjab State Lottery Department.

In the absence of such relevant material, this Court is unable to examine and accept the prayer made in the instant petition.

Petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

24.01.2019

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No