

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

CWP-8816 of 2018

Date of decision : 29.10.2019

Iqbal Singh

.... PETITIONER

Versus

State of Punjab and others

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE RAJIV SHARMA

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Parvinder Singh, Advocate,
for the petitioner.

Ms. Lavanya Paul, Assistant Advocate General, Punjab.

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RAJIV SHARMA, J.

The applications were called for issuance of licenses for fishing rights of notified water bodies during the year 2017-18 for District Amritsar. The petitioner participated in the tendering process. However, he failed to deposit the requisite fee. He was informed to deposit the same from time to time. The Director & Warden Fisheries, Punjab, issued notice to the petitioner regarding cancellation of sanction for the license of fishing from/in the notified waters of District Amritsar, on 06.03.2018. The Senior Fisheries Officer, Amritsar, went to Harike to supply this letter to the petitioner. However, the petitioner was not present, but his Clerk/Muneem was present. He refused to take the letter. Thereafter, without hearing the

petitioner, the impugned letter dated 28.03.2018 was issued, whereby the license granted to the petitioner for the year 2017-18 was cancelled, which was granted vide letter dated 14.08.2017. The petitioner was also black-listed for five years from submitting bids. His 5% security was also forfeited. It is apparent that the petitioner's license has been cancelled. He has been black-listed and his 5% security has been forfeited without hearing him. The competent authority should have made all out efforts to serve the petitioner with the copy of letter dated 06.03.2018 before taking action. There is violation of natural justice.

Accordingly, this petition is allowed. The letter dated 28.03.2018 (Annexure P-4) is quashed and set aside. However, liberty is reserved to the petitioner to proceed with the matter in accordance with law.

(RAJIV SHARMA)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

October 29, 2019
ndj

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