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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2021/2019 and CM APPL. 9481/2019

M/S OM SHYAM TRADERS Petitioner
Through: Mr R.R. Jangu, Advocate.

versus

AGRICULTURAL PRODUCE MARKETING
COMMITTEE Respondent
Through: Mr Manish Garg, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **01.05.2019**

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“i. To quash/set aside the IMPUGNED NOTICES/ORDERS F.NO.F9()APMC/Lic./2006-07-4006-4009 dated 29.06.2018 AND F.NO. F9()APMC/Lic./1437/2006-07-4088 dated 08.08.2018 (Final Notice) and Order F.NO.F9()APMC/Lic./1437/2006-07/4244 dated 22.09.2018 ISSUED BY DEPUTY SECRETARY (LICENCE) AGRICULTURAL PRODUCE MARKETING COMMITTEE, GOVT. OF NOT DELHI, OFFICE COMPLEX, NFM PHASE-II, SARAI PEEPAL THALA, AZADPUR, DELHI-110033 AND RESTORATION OF LICENCE NOS. “A” 4064 & “B” 4458 ISSUED TO DEAL IN POTATO & ONION BUSINESS.

ii. To direct the respondent to restore the Licences No.B-4458 and A-4064.”

2. The petitioner claims that it is a partnership firm and is entitled to

occupy a shop in New Sabzi Mandi, Azadpur (Shop No. A-1137). The respondent (Agricultural Produce Marketing Committee- APMC) had issued a license in favour of the petitioner for operating in the market.

3. The petitioner impugns a show-cause notice dated 29.06.2018. It appears from the show cause notice that there is a serious dispute as to the chain of documents, on the basis of which the petitioner had claimed ownership of the premises in question. It is in this context that APMC had issued the show cause notice calling upon the petitioner, as well as the other claimant, to provide an explanation. Plainly, no interference by this Court is called for, in respect of the aforesaid show cause notice. The petitioner has the full opportunity to respond to the same. Needless to state that APMC shall pass a final order, only after considering the explanations provided by the petitioner.

4. Insofar, as banning the entry of goods of the petitioner in the market area is concerned, it is pointed out that the applications for license had been made indicating one Sh Harvinder Singh as a partner of the petitioner firm. His photographs were also attached with the application. Admittedly, Sh Harvinder Singh had expired on 14.11.2007. In the aforesaid view, the decision of APMC to ban the entry of goods (thus, effectively suspending the license issued to the petitioner) warrants no interference at this stage. However, it is directed that APMC would consider the petitioner's explanation and pass a speaking order after hearing the petitioner as expeditiously as possible, and in any event within a period of four weeks, from today.

5. The petition is disposed of in the aforesaid terms. The pending application is disposed of.

6. Order *dasti* under signatures of the court master.

MAY 01, 2019
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VIBHU BAKHRU, J