

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

CWP-19699-2020(O&M)

Date of decision: 19.11.2020

Ramesh Fruit Company

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Vikramjeet Singh, Advocate for
Mr. Aman Pal, Advocate for the petitioner
Mr. Samarth Sagar, Addl. AG, Haryana

ANIL KSHETARPAL, J. (ORAL)

This writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Certiorari for quashing notification/ order dated 12.11.2020 directing all Commission Agents/Arhtiyas of the old Fruits and Vegetables Market, Panipat to shift and start operating from a New Fruits and Vegetables Market developed by the District Administration.

It is apparent that old fruits and vegetables market was de-notified on 7.11.2019. Thereafter, various orders were issued to close the old fruits and vegetables market, however, due to spread of COVID-19 pandemic, actual shifting to new market was repeatedly deferred.

Learned counsel for the petitioner contends that the license of the petitioner to operate in the market yard has been renewed upto 31.3.2021 and therefore, the petitioner has apprehension that he will not be permitted to operate in the New Fruits and Vegetables Market.

Sh. Samarth Sagar, Addl. AG, Haryana on instructions from Sh. Anil Kumar, Accountant, Market Committee, Panipat, has submitted that the order (Annexure P-2) nowhere restricts or prohibit the petitioner from operating from the New Fruits and Vegetables Market.

He further submits that a bigger/larger New Market has been developed in order to accommodate more buyers and sellers who daily come buy and sell in the market as the space available in the Old market was found insufficient.

Keeping in view the aforesaid statement, the present petition is disposed of. It is clarified that the petitioner shall have no right to continue in the old fruits and vegetables market which stands de-notified. However, the petitioner shall not be stopped as stated by the learned Additional Advocate General, Haryana from operating/ conducting his business in accordance with the license during its validity from the New Fruits and Vegetables Market.

With the aforesaid observations, the present petition is disposed of.

19.11.2020
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No