

CWP No.11758, 11435 and 21614 of 2021 (O&M)

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

**Date of Decision :15.11.2021
CWP No.11758 of 2021 (O&M)**

Jagraj Singh and others

.....Petitioners

Versus

State of Haryana and others

..... Respondents

CWP No.11435 of 2021 (O&M)

Bijender and others

.....Petitioners

Versus

State of Haryana and others

..... Respondents

CWP No.21614 of 2021

Vinod and others

.....Petitioners

Versus

State of Haryana and another

..... Respondents

**CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Baltej Singh Sidhu, Sr. Advocate with
Mr. Rajdeep Singh, Advocate for the petitioners
in CWP Nos.11758 and 21614 of 2021.
Mr. Shiv Kumar Sharma, Advocate for the petitioners in
CWP No.11435 of 2021.
Mr. Deepak Balyan, Addl.A.G. Haryana.
Mr. Gurminder Singh, Sr. Advocate with
Mr. J.S.Gill, Advocate for respondent No.3.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral):

These petitions have been filed by the petitioners assailing the
act of the respondents-authorities in issuing the tender notices and awarding
the contract for organizing cattle fairs in the State of Haryana. The

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petitioners (in writ petition No.11758 of 2021) have also challenged the provisions of Section 4-A of the Haryana Cattle Fairs Act 1970 as amended by Haryana Cattle Fairs (Amendment) Act, 2017, by which Section 4-A has been inserted in the Act of 1970 empowering the State Government to frame a scheme for organizing and managing the cattle fairs through an agency on such terms and conditions as may be prescribed. In the said petition the petitioners also challenged the experience criteria prescribed under the scheme on the ground that it totally excludes all applicants in the State of Haryana as it mandates five years' experience in organizing cattle fairs, the requirement/experience which is not possible for any organization or residents of the State of Haryana to possess, as the cattle fairs in the State of Haryana had always been organized by the State itself in the past.

On the last date of hearing, the petitioners who are certificate/*parchi* writers and have been working in cattle fairs since last 30 years had raised an issue that they would also be rendered jobless.

In response, the State of Haryana has filed an affidavit and the successful tenderer has also filed an affidavit stating that under the scheme framed by the State, all those persons who had been engaged in the work of certificate/*parchi* writers would continue to remain engaged and would work under the supervision and control of the contractors selected and appointed by the authority.

In view of the aforesaid statement on affidavit, the grievance of the certificate/*parchi* writers does not survive. At this stage, learned Additional Advocate General appearing for the State of Haryana submits that the authorities wish to re-examine the issue regarding eligibility, its impact and effect on the residents of the State of Haryana. He submits that

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the authority concerned, i.e. State Government, would consider the representation of the petitioners in this regard and take a decision thereon expeditiously, in accordance with law, and till then implementation of the scheme would be kept in abeyance.

In view of the statement of the learned Additional Advocate General, Haryana, while taking on record the statement in respect of the certificate/*parchi* writer, the petitions are disposed of in terms thereof. As regards the other issues, i.e. eligibility and experience criteria, the State shall take a decision thereon, in accordance with law, expeditiously, preferably within a period of 6 weeks.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

15.11.2021
Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No