

CWP-15656-2021

Date of Decision: 16.08.2021

SINGLA FRUIT AGENCY

... PETITIONER

V/S

STATE OF HARYANA AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Deepak Goyal, Advocate for the petitioner.
Mr. Sandeep Moudgil, Addl. AG Haryana.

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TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

It has been pleaded that petitioner was doing the business of Kachha Arhtiya since the year 1990 at Shop No. 242 in Old Sabzi Mandi, Panipat. Upon development of New Grain Market, Panipat, a decision in principle was taken for allotment of plots to the old licensees in the New Vegetable Market on reserved price through draw of lots but subject to fulfilment of certain eligibility conditions.

Apparently, vide order dated 22.12.2011 (Annexure P-1) passed by the Market Committee, Panipat petitioner herein was held to be ineligible to participate in the draw of lots for allotment of a shop in the New Grain Market at reserved price.

Counsel submits that petitioner availed of the statutory remedy of appeal under Section 40 of the Punjab Agricultural Produce Market Act, 1961 read with Rule 11 of the Haryana State Agricultural Marketing Board (Sale of Immovable Property) Rules, 2000 vide appeal dated 16.1.2012 (Annexure P-2).

Short grievance raised in the petition is that till date the appeal is pending and no decision thereupon has been taken.

Since an advance copy of the petition had already been served upon the respondents, Mr. Sandeep Moudgil, learned Addl. AG Haryana enters appearance on behalf of the contesting respondent-Haryana State Agricultural Marketing Board.

Mr. Moudgil concedes to the factual premise as regards the appeal preferred by the petitioner to be still pending. No justification, however, is coming forth explaining the inordinate delay in having kept the same pending.

Mr. Moudgil, on instructions from Mr. Ashish, ADA O/o Chief Administrator, HSAMB, however, undertakes that the appeal would be decided on merits within a period of six weeks from today and after affording an opportunity of hearing to the petitioner and by passing a reasoned speaking order.

Statement is accepted.

No further directions are required to be passed.

Petition is disposed of.

It is, however, clarified that we have not examined the case on merits.

(TEJINDER SINGH DHINDSA)
JUDGE

(VIVEK PURI)
JUDGE

16.08.2021
Janki

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