

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

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**CWP-16556-2021(O&M)
Date of Order: 26.08.2021**

GRAM PANCHAYAT BHAGATPURA

..Petitioner

Versus

PUNJAB MANDI BOARD AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Harkirat Singh Sandhu, Advocate
for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

ANIL KSHETARPAL, J(Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Through this writ petition, the petitioner prays for issuance of a writ in the nature of the mandamus directing the respondents not to illegally start the process of repairing the old grain market by spending public money.

The petitioner previously filed CWP-10948-2021 which was disposed of on 29.06.2021, with the following order:-

“After arguing for some time, learned counsel representing the petitioner prays for permission to withdraw the writ petition with liberty to avail the alternative remedy.

Ordered accordingly.”

Although, the petitioner has not annexed the petition filed before the Additional Chief Secretary, however, learned counsel representing the petitioner admits that such petition was filed and is pending for today.

As per the facts available, there is a grain market in existence in the area of Gram Panchayat since 1994. It is claimed to be constructed in a low lying area and therefore, the Punjab Mandi Board wants to raise the level of the floor.

The petitioner appears to be opposing the same as it wants that it should be shifted to a larger area.

Keeping in view the aforesaid facts, it is apparent that the writ petition is clearly an abuse of the process of the Court.

The petitioner has not only failed to disclose the entire material before the Court but has also filed this writ petition after having withdrawn the first writ petition i.e. CWP-10948-2021.

Accordingly, the writ is dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

August 26, 2021

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**(ANIL KSHETARPAL)
JUDGE**

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