

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

114

**CWP no.7183 of 2022
Date of Decision:26.05.2022**

Anil

..... Petitioner

Versus

State Agricultural Marketing Board and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr. Chanderhas Yadav, Advocate, for
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

Vide this petition, the petitioner seeks issuance of a writ in the nature of *mandamus* directing the respondent authorities to consider his case at parity with other allottees who were allotted shops/booths in the year 2015 (prior to the petitioner). He further seeks that the case of the petitioner be considered for allotment of an alternate site from amongst the vacant plot nos.108, 109 and 121 at the New Vegetable Market, Bahadurgarh.

Learned counsel for the petitioner submits that though the petitioner had initially approached the Permanent Lok Adalat, Jhajjar, and that application had been initially entertained eventually vide the order Annexure P-12, dated 30.08.2019, it was held that the said forum would not have jurisdiction to entertain the application, with the petitioner therefore relegated to his remedy before the appropriate forum.

Strangely, the petitioner approached the Zonal Administrator, Haryana State Agricultural Marketing Board, Gurugram, vide an appeal, who vide his order dated 21.09.2021 (copy Annexure P-14), in essence held that the said authority could only entertain an appeal against an order passed by a lower authority; and as such no order could be passed in an appeal filed by the petitioner (and one Hemmat Kakkar), there being no order actually challenged of any such authority.

Without going into the merits of the matter, it is seen that the petitioner has also made a representation to the Executive Officer-cum Secretary, Market Committee, Bahadurgarh (copy Annexure P-18), shown to be received in the said office on 21.12.2021.

That being so, this petition is disposed of with a direction to the Executive Officer-cum Secretary, Market Committee or any other appropriate authority as would have jurisdiction to pass an order on the matter, to pass a speaking order within a period of three months from the date of receipt of a certified copy of this order, on the aforesaid representation made by the petitioner, after duly hearing him.

(AMOL RATTAN SINGH)
JUDGE

May 26, 2022
dinesh

(LALIT BATRA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No