

102.

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

CWP-12919-2019 (O&M)

Date of Decision: 18.05.2022

RAJ KUMAR AND ANOTHER

.... Petitioners

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. SKS Bedi, Advocate, for the petitioners.

JAISHREE THAKUR.J (Oral)

CMs-14678 & 14680-2021

Applications are allowed, as prayed for.

Documents Annexures P-3 to P-7 i.e. the Act, Rules and Instructions for grant of Kacha Artiya Licence under the provisions of Haryana Agricultural Produce Market Act, 1961 and Rules framed thereunder, are taken on record.

CWP-12919-2019

This is a petition that has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to issue appropriate licence as Kacha Aarti (Category-II) under Section 10 of the Punjab Agricultural Produce Market Act, 1961, in the name of the petitioners for carrying out the work as Kacha Aarti (Category-II) in Booth No.258, New Subji Mandi, Market Committee, Jagadhari, District Yamuna Nagar.

Counsel appearing on behalf of the petitioners herein would contend that the petitioners filed a representation dated 29.10.2019 (Annexure P-1) to respondent No.4, which was not considered and thereafter, a legal notice dated 15.02.2019 (Annexure P-2) was served upon respondents No.2 to 4, but to no avail. Counsel would submit that the petitioners would be satisfied in case the said legal notice is decided in a time bound manner.

Notice of motion.

At this stage, Ms. Kirti Singh, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondents and would submit that the respondents will look into the matter and will take a decision on the legal notice of the petitioners.

Let sufficient number of copies of the complete paper book be supplied to her during the course of day.

Without going into merits of the case, the present petition is disposed of by directing the respondents to take a decision on the legal notice dated 15.02.2019 (Annexure P-2) of the petitioners, within a period of two months from the date of receipt of certified copy of this order, in accordance with law, and convey the decision to the petitioners. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

18.05.2022
sanjeev

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No