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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-13341-2022(O&M)
Date of Decision:06.07.2022

M/s Ashwani Chauhan Mukand Chauhan and Company .... Petitioner

Versus

Union Territory Chandigarh and others ...... Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE PANKAJ JAIN

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Present: Mr. Rajnish K. Gupta, Advocate for the petitioner.

Mr.Anil Mehta, Senior Standing Counsel with
Ms.Aashna Gill, Junior Standing Counsel, UT, Chandigarh
for respondents No. 1 to 5.

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TEJINDER SINGH DHINDSA, J. (ORAL)

Instant writ petition is directed against the assessment order dated 30.09.2020 (Annexure P-2) passed by the Assessing Authority, Market Committee, Chandigarh. Further challenge has been laid to the subsequent proceedings emanating from the impugned assessment order.

Counsel for the petitioner at the very outset seeks withdrawal of the writ petition so as to avail of the statutory remedy of appeal as provided under the Punjab Agricultural Produce Markets (General) Rules, 1962.

In the light of such submission made by counsel there would be no occasion for this Court to examine the validity of the impugned assessment order.

Writ petition is disposed of as not pressed with liberty as prayed for.

SUNITA NAGPAL
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I attest to the accuracy and
authenticiy of this order/judgment

There is, however, one aspect that may be dealt with. The assessment order was passed on 30.09.2020 i.e. during the ongoing Covid Pandemic. There is a limitation period of 60 days provided under the available statutory rights for filing an appeal.

Mr.Anil Mehta, Senior Standing Counsel, UT Chandigarh has entered appearance and has been gracious enough to concede that in case an appeal is now filed by the petitioner within a period of two weeks from the date of receipt of a certified copy of this order, the same would be entertained without raising any objection as regards delay and the same would be dealt with on merits.

In the eventuality of the petitioner choosing to avail of such concession of filing an appeal within the afore-stipulated time frame, the same would be entertained only upon deposit of 25% of the assessed market fee as a condition of pre-deposit.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(PANKAJ JAIN)
JUDGE

06.07.2022
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Whether speaking/reasoned Yes/No
Whether Reportable Yes/No

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