

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

**CWP-16828-2022(O&M)
Date of Decision:02.08.2022**

M/s Mahajan Fruit Company

..... Petitioner

versus

Union Territory, Chandigarh and others

..... Respondents

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

Present: Ms. Rimjhim Mahajan, Advocate for the petitioner.

Mr. Anil Mehta, Senior Standing Counsel with
Ms. Madhu Dayal, Addl. Standing Counsel, UT, Chandigarh
for respondents No. 1 to 5.

TEJINDER SINGH DHINDSA, J. (ORAL)

Instant writ petition is directed against the assessment order dated 11.07.2022 (Annexure P-15) passed by the Assessing Authority, Market Committee, Chandigarh determining the recoverable market fee to be Rs.10,97,845/-. Further challenge has been laid to the subsequent proceedings emanating from the impugned assessment order.

Since an advance copy of the petition had been served upon the respondents, Ms. Madhu Dayal, Addl. Standing Counsel, UT, Chandigarh has entered appearance on behalf of the respondents.

During the course of hearing today counsel for the parties are *ad idem* that a statutory remedy of appeal is available under the provisions of the Punjab Agricultural Produce Markets Act, 1961.

Learned Addl. Standing Counsel, UT, Chandigarh would

submit that it is always open for the petitioner to avail of such statutory remedy upon making a deposit of 25% of the recoverable market fee as has been assessed vide impugned order.

At this stage counsel for the petitioner seeks withdrawal of the writ petition with liberty to the petitioner to avail of the statutory remedy of appeal against the impugned order dated 11.07.2022 (Annexure P-15).

Disposed of as withdrawn with liberty as prayed for.

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

(TEJINDER SINGH DHINDSA)
JUDGE

(PANKAJ JAIN)
JUDGE

02.08.2022
sunita

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