

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215

CWP-19211-2018(O&M)
Date of decision:08.09.2022

BIKKAR SINGH

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Ms. Paramjit Kaur, Advocate
Mr. Amit Dhawan, Advocate
for the petitioner.

Ms. Niharika Sharma, AAG, Punjab.

Mr. L.S. Mann, Advocate
for respondents No.4 to 7.

VINOD S. BHARDWAJ. J. (ORAL)

The present writ petition invokes the jurisdiction of this Court in the nature of certiorari to seek a challenge to the order dated 11.04.2018 (Annexure P-2), whereby, the petitioner was restrained from sale of certain products claimed to be in contravention to Section 21 and 22 of the Insecticides Act, 1968.

Short reply by way of affidavit of Sh. Nazar Singh, Chief Agriculture Officer, Jalandhar on behalf of respondents No.1 to 3 had been filed on 23.01.2020. The relevant extract of the said reply is reproduced herein below:-

That the impugned order has already been set aside by the department and therefore the present petition

has been rendered infructuous. It is relevant to mention here that the petitioner was restrained by impugned order to not to sell those pesticides which he was not authorized to sell as per the terms and conditions of the license as these pesticides are not included in the license and after addition as per the law, petitioner allowed to sell the same by the department as per the order dated 21.05.2018 and now the petitioner has been authorized to sell these pesticides and present writ petition has become infructuous. The copy of the licence No. JAL/AGR/INST/2017/00300 dated 15 May, 2017 which has no authority to sale of pesticide whose sale was stopped by respondent No. 4. A copy of that license is annexed herewith as Annexure R-1 and copy of licence No. 1405 dated 21.05.2018 in which petitioner was authorized to sell pesticides whose sale was stopped after amendment attached herewith as Annexure R-2.

It has been noticed in the aforesaid paragraph that the Department has thereafter passed an order on 21.05.2018 and the petitioner had been authorized to sell those pesticides. No counter to the aforesaid written statement has been filed and the said averment has not been controverted.

In view of the above, no further cause of action or grievance of the petitioner survives.

The present petition is accordingly disposed of as having been rendered infructuous.

(VINOD S. BHARDWAJ)
JUDGE

08.09.2022

Amandeep

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