

115.

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

CWP-2328-2023

Date of Decision: 15.03.2023

NARENDER SHARMA

.... Petitioner

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Uday Pratap Singh, Advocate,
Mr. Angrej Singh, Advocate, and
Mr. Gurchet Singh, Advocate, for the petitioner.

JAISHREE THAKUR.J (Oral)

The petitioner herein seeks a writ in the nature of mandamus directing the respondents to terminate services of respondent No.5 having attained the age of superannuation on 21.01.2021 and his engagement as an auctioneer being in violation of Section 33(4)(ii) of Punjab Agriculture Produce Markets Act, 1961; Rule 25(5) of Punjab Agriculture Produce Markets General Rules, 1962 and instructions of 1982, 1992, 2006.

At the very outset, counsel appearing on behalf of the petitioner would submit that at this stage, the petitioner would be satisfied in case his representation dated 23.01.2023, Annexure P-10, ventilating his grievance, whereupon no decision has been taken as yet, is decided in a time bound manner, in accordance with law.

Notice of motion to the official respondents only.

At this stage, Mr. Anant Kataria, DAG, Haryana, who is present in Court, accepts notice on behalf of respondent No.1. Appearance has also been caused by Mr. Udit Garg, Advocate, on behalf of respondents No.2 to 4.

Let adequate number of copies of complete paper book be supplied to the respective counsel appearing on behalf of the respondents during the course of day.

Without commenting on merits of the case and keeping in view the limited prayer made by counsel for the petitioner, the present petition is disposed of with a direction to respondent No.2 to decide representation dated 23.01.2023, Annexure P-10, of the petitioner 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 petitioner. 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

15.03.2023

sanjeev

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