

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-1048-LPA-2023, CM-1050-LPA-2023
CM-1049-LPA-2023 in/and LPA-374-2023 (O&M)
Date of Decision: 11.04.2023

Dinesh Sharma and others
..... Appellants

Vs.

State of Punjab and others
..... Respondents

CORAM: HON’BLE MR JUSTICE M.S. RAMACHANDRA RAO
HON’BLE MRS JUSTICE SUKHVINDER KAUR

Present Mr. Naveen Bawa, Advocate
for the applicants-appellants.

M.S. RAMACHANDRA RAO, J. (Oral)

CM-1050-LPA-2023

This application is filed by the applicant-appellant seeking
condonation of delay of 06 days in filing the Appeal.

Notice in this application.

Mr. Aman Dhir, DAG, Punjab accepts notice on behalf of State
and states that he has no objection if the said delay of 06 days is condoned.

Having regard to the reasons assigned in the application, and
having regard to the fact that the learned State counsel has no objection if this
application is allowed, this application is allowed and the delay of 06 days in
filing the accompanying Appeal is condoned.

CM-1048-LPA-2023

Heard counsel for the applicants.

The applicants in the instant LPA are persons who had been allotted a depot of fair price shop which is said to be valid till 31.03.2026, but is aggrieved by a decision taken by the State to go in for fresh determination for eligibility and allotment of such fair price shops in the State.

The applicants have to challenge the said decision of the State Government in the High Court by way of a fresh Writ Petition and then only, if an adverse order is passed, challenge it by way of Letters Patent Appeal, and cannot seek leave to challenge the impugned order dt. 15.02.2023 passed in CWP No.963 of 2021 and batch contending that they are aggrieved by the said order.

Therefore, granting liberty to the applicants to approach this Court by way of a fresh Writ Petition under Article 226 of the Constitution of India seeking enforcement of their rights, this application for leave to appeal is dismissed.

Consequently, Letters Patent Appeal stands disposed of.

Pending application(s), if any, shall also stand disposed of.

(M.S. RAMACHANDRA RAO)
JUDGE

(SUKHVINDER KAUR)
JUDGE

April 11, 2023

Mohit goyal

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No