

[Neutral Citation No.2023:PHHC:090485]

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

**COCp-1209-2019 (O&M)
Date of decision: 19.07.2023**

M/s Sultan Singh & Sons and others**...Petitioners****Versus****D. S. Deshi and others****...Respondents****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Naresh Kumar, Advocate
for the petitioners.

Mr. Shivoy Dhir, Sr. Standing Counsel
for the respondents.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners are alleging violation of the order dated 03.08.2015, passed by this Court in CWP-9384-2015. The operative part of the order reads as under:

“3. Mr. Amar Vivek, Addl. AG, Haryana, appearing on behalf of the respondents fairly submitted that respondents No.1 and 2 shall make sincere efforts to decide the appeals/revisions and applications for interim injunction pending before them expeditiously. It is also stated by the learned State counsel that till the appeals/revisions and applications for interim injunctions are decided by the concerned authorities, the petitioners whose licences have not been renewed shall be allowed to continue to function from the old/new Sabzi Mandi, wherever, they are functioning as on date without insisting for renewal of licence till the appeals/revisions are adjudicated.

4. After hearing, learned counsel for the parties, at this stage, while disposing of the writ petition, we observe

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that respondents shall remain bound by the aforesaid statement and it shall be open to the petitioners to raise all the pleas as are available with them before the Appellate/Revisional Authority including the plea regarding creation of rental platform under the Rules/Policy decision.

5. In view of the above, the writ petition is disposed of accordingly.”

The petitioners, at the first instance, had filed COCF-274-2019, which was dismissed by passing the following order on 21.02.2019:

“It is stated that in spite of the directions, to allow the petitioners to continue to function from the old/new Sabzi Mandi till as such time, the appeals/revisions are decided, the respondents have gone ahead and demolished the shops. However, there is nothing on record to show that there were any shops which have been demolished and nor there is any such mention in the contempt petition.

In view of the same, the present contempt petition is dismissed with liberty to file fresh one with better particulars.

Dismissed with liberty as prayed for.”

The petitioners had again filed this contempt petition alleging that the shops of the petitioners have been demolished.

As per affidavit filed by the Executive Officer-cum-Secretary, Market Committee, Hisar, a specific stand is taken that only the structures, which were raised by the petitioners by encroaching upon the market pathway, were removed as the same was done without any authority or legal sanction.

In view of the same, since no case of any willful disobedience

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is made out against the respondent, the present petition is dismissed.

Rule stands discharged.

19.07.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No