

2023:PHHC:118213

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-19965-2023 (O&M)
Date of Decision:-11.9.2023

Raj Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Deepender Pratap Singh, Advocate for
Dr. Pankaj Nanhera, Advocate for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner, who claims to have purchased a booth situated in the area of New Anaj Mandi, Gohana vide sale-deed dated 14.5.2018 (Annexure P-1), seeks issuance of a writ in the nature of mandamus directing the respondents to either transfer the license, which had originally been issued to the earlier vendor namely Mr. Satyanarayan or to issue a fresh license to the petitioner.
2. Notice of motion.
3. On asking of the Court, Mr. Sharad Aggarwal, DAG, Haryana, upon whom an advance copy of petition had already been served, accepts notice on behalf of the respondent-State.
4. Learned State counsel has informed that there is no such provision under Haryana Agricultural Produce Markets Act, which provides that merely on

account of purchase of a booth situated within Anaj Mandi, the purchaser *ipso facto* gets entitled for issuance of a license. It has, however, been submitted that in case the petitioner applies for issuance of a license by way of moving an appropriate application, the same shall be considered in accordance with law.

5. Since the petition does not disclose that an appropriate application has been moved to the authorities concerned, the instant petition is disposed of with liberty to the petitioner to move an appropriate application to the authorities concerned i.e. respondent No.3 - Secretary-cum-Executive Officer, Market Committee, Gohana, District Sonapat, Haryana for issuance of a license under Haryana Agricultural Produce Markets Act. In case, any such appropriate application is filed by the petitioner within a period of 2 weeks from today, the authorities concerned shall consider and dispose of the same expeditiously preferably within a period of 3 months from filing of such application.

11.9.2023

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No