

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

CWP-22397-2023 (O&M)
Date of Decision:-10.10.2023

M/s Jangi Ram Sandhu Ram

....Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sunny Kumar Singla, Advocate for the petitioner.

Mr. Inderpreet Singh Kang, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks issuance of a writ in the nature of mandamus so as to direct respondent No.2 to hear and decide the stay application (Annexure P-3), which has been filed alongwith the main appeal dated 18.8.2023 (Annexure P-2) under Section 16 of Seeds (Control) Order, 1983 challenging the order dated 18.7.2023 (Annexure P-1) passed by respondent No.3 – Chief Agricultural Officer-cum-Licensing Authority (Seed), Patiala, vide which the license of the petitioner has been ordered to be cancelled.

2. On the last date of hearing, the following order was passed on 6.10.2023:

“It is submitted that the petitioner had been issued a licence under Section 16 of the Seeds (Control) Order 1983, which has been ordered to be cancelled by respondent No.3 vide order dated 18.7.2023. It is further submitted that although the petitioner filed the statutory appeal on 18.8.2023, but the same has not been decided

till date on account of the fact that the Presiding Officer of the Appellate Authority stands transferred and the incumbent has not been appointed so far.

Notice of motion for 10.10.2023.

At this stage, Mr. Inderpreet Singh Kang, AAG, Punjab, has put in appearance and accepts notice.

State to furnish information as to what alternate arrangements had been made in absence of the Presiding Officer of the Appellate Authority.

To be shown in urgent list.”

3. Learned State counsel has today furnished a copy of communication dated 10.10.2023 received from Joint Director, Office of Director, Department of Agriculture and Farmers Welfare, Punjab to the effect that the post of Joint Director has been filled up and that the petitioner’s appeal shall be taken up for hearing on 10.10.2023 at 11:00 A.M. The aforesaid communication dated 10.10.2023 is taken on record.
4. Faced with the aforestated position, learned counsel representing the petitioner submits that he may be permitted to withdraw the present petition with liberty to pursue his remedy before the Appellate Authority.
5. In view of the aforesaid submission, the instant petition is dismissed as withdrawn with liberty aforesaid.
6. Needless to mention that the appeal filed by petitioner shall be disposed of expeditiously.

10.10.2023

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No