

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

CWP-1417-2024

Date of decision: 03.04.2024

M/s Jugnu Engineering and Fabrication Works

....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Rahul Sharma-I, Advocate,
for the petitioner.

Mr. Jastej Singh, Deputy Advocate General, Punjab.

Mr. Aayush Arora, Advocate,
for respondent No.2.

ARUN PALLI, J. (Oral)

A Certiorari is prayed for, to quash the letter dated 09.08.2023 (P-7), issued by District Mandi Officer, Ludhiana, to the Collector, Ludhiana, as regards recovery under Section 21(2) of the Punjab Agricultural Produce Marketing Act, 1961, against the petitioner. And also, notice dated 27.11.2023 (P-11), vide which Tehsildar-cum Assistant Collector Grade First/Second, Ludhiana (East), had required the petitioner to appear before it on 05.01.2024 and deposit a sum of Rs.21,57,996/-.

Having argued the matter at some length, learned counsel for the petitioner submits, for neither did the petitioner appear before the concerned authority, in response to the impugned letter dated 27.11.2023, on the appointed date, nor it submitted any response, he be permitted to withdraw the petition, to enable the petitioner to appear before the competent authority, so that the matter, after the petitioner is heard, can be conclusively examined and decided.

To this, learned counsel for the respondents submit that it is not in dispute that to date, no further orders have been passed, pursuant to

the impugned communication/letter, and the matter is still pending before respondent No.4. Accordingly, it is submitted that let the petitioner appear before Tehsildar-cum-Assistant Collector Grade First/Second, Ludhiana (East) on 22.04.2024 at 11:00 AM, and submit a response qua its concerns/grievances as also the issues sought to be raised in the petition. Whereupon, respondent No.4, after affording hearing to the petitioner, shall pass necessary orders, in accordance with law, within a further period of two weeks. However, it is urged, for the order dated 09.08.2023 (P-7) is appealable, the petitioner, if so advised, would be at liberty to avail such other remedies, as shall be available in law, against the said order.

In the wake of the position sketched out above, and in terms of the statements made by learned counsel for the parties, the petition is disposed of.

This Court is sanguine that in the event, the petitioner submits any response, the same shall be taken cognizance of by the competent authority, and appropriate orders shall be passed within the time indicated by learned counsel for the respondents. And, as indicated earlier, the petitioner is at liberty to avail such other remedies, as shall be admissible in law, against the order dated 09.08.2023 (P-7).

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

03.04.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No