

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

CWP-8097-2024

Date of decision: 10.04.2024

Masakhor Seva Samiti

....Petitioner

Versus

Haryana State Agricultural Marketing Board

....Respondent

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

Present: Mr. Pardeep Kumar Rapria, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner has prayed for the following substantive relief:-

“Civil Writ Petition under Article 226 of the Constitution of India for issuing writ in the nature of mandamus directing the Respondent to reduce the user charges for the space allotted to Mashakhors, in terms of the recommendation of the Administrator-cum-Sub Divisional Officer, Market Committee, Hisar and the resolution No.2, Dated: 26-09-2023 (ANNEXURE P-3) passed by the Market Committee, Hisar, forwarded to the respondent by the Secretary-cum-Executive Officer, Market Committee, Hisar, vide letter no.1803, Dated: 19.10.2023 (ANNEXURE P-4). And/or

Direct the respondent to pass a speaking order on the petitioner's Legal Notice Dated: 02-03-2024 (ANNEXURE P-5) and provide reasons for more than three-fold increase in the user charges for the space allotted to Mashakhors, in terms of the Section 4(1)(d) of the Right to Information Act, 2005.”

Learned counsel for the petitioner, in reference to the resolution dated 26.09.2023 (P-3), passed by the Market Committee,

Hisar, submits that user charges for the space allotted to Mashakhors were required to be reduced from Rs.100/- to Rs.50/- per day, for the new vegetable market, Hisar, situated at Delhi by-pass is away from city, and thus, resulted in low income of Mashakhors. It is urged that despite the said resolution having been forwarded to the respondent, vide communication dated 19.10.2023 (P-4), the matter has not made any tangible progress. So much so, even the legal notice dated 02.03.2024 (P-5), the respondent had been served with, has failed to evoke any response.

Served with the advance copy of the petition, Mr. Ankur Mittal, Advocate, along with Ms. Kushaldeep Kaur, Advocate, is present in Court. At the outset, he, on instructions, submits, for the competent authority is already in seisin of the concerns/grievances of the petitioner, as sought to be raised in this petition, as also the legal notice (*ibid*), it would be expedient if this petition is disposed of, to enable the authorities to deal therewith and pass necessary orders, in accordance with law.

Learned counsel for the petitioner is in agreement with the course suggested by learned counsel for the respondent and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the authorities be directed to take a final decision in the matter, within a specified time.

In response, learned counsel for the respondent submits that appropriate orders shall be passed within a period of four weeks from today.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And a comprehensive order, citing reasons in support thereof, shall be passed within the time indicated by learned counsel for the respondent.

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

10.04.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No