

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

113

CWP-7429-2024

Date of Decision: April 03, 2024

M/s Barmalt Malting (India) Pvt. Ltd.

.....Petitioner(s)

Vs.

The Market Committee, Rewari and others

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Ajaivir Singh, Advocate
for the petitioner(s).

SANJEEV PRAKASH SHARMA.J. (ORAL)

Learned counsel for the petitioner submits that the petitioner has preferred an appeal within limitation against the order dated 12.02.2024 (Annexure P-8) whereby show cause notice was issued to the firm for not depositing the market fees. The appeal was filed alongwith stay application. However, learned counsel for the petitioner submits that the appellate authority has failed to hear the appeal or the stay application. In the meanwhile, the respondents have also issued notice imposing penalty on 05.03.2024, which he does not press.

2. We are of the considered opinion that the writ petition would not be maintainable at this stage and this is for the appellate authority to examine the stay application as well as the appeal itself. It is informed that there is no time provided under the H.A.P.M. Act, 1961. However, it is always appropriate for an appellate authority for examining *quasi* judicial function and pass orders at the earliest.

3. It is accordingly directed that the appellate authority shall take up the matter and pass appropriate order and it will be decided within a period of three months from today. It is always open for the appellate authority to pass interim order as well.
4. With the aforesaid observations, the present petition is disposed of.
5. All pending applications, if any, stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

April 03, 2024
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Whether speaking/reasoned:	Speaking
Whether reportable:	Yes / No