

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

CWP-10044-2024

Date of decision: 02.05.2024

M/s Chudiya Ram Zile Singh Trading Company and others

....Petitioners

Versus

State of Haryana and others

....Respondents

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

Present: Mr. Rajnish K. Gupta, Advocate,
for the petitioners.

ARUN PALLI, J. (Oral)

The petitioners have prayed for the following substantive relief:-

“Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus thereby directing the respondents to issue regular licences under Section 10 of the Haryana Agricultural Produce Markets Act, 1961 (in short HAPM Act) to the petitioners firms for the size of shop measuring 15’ x 37.5’ as has been issued in case of other commission agents/arthyas without any discrimination and with a further prayer for issuance of a writ in the nature of prohibition thereby the petitioners-firms No.1 to 6 may kindly be allowed to continue to work on their present licence and the petitioners No.7 to 14 may also be issued provisional licences during the pendency of the present writ petition of Kacha Arthiya of Category-II under Section 10 of HAPM Act, in the interest of justice.”

At the outset, learned counsel for the petitioners submits that prior to the institution of this petition, the petitioners had even served the respondent authorities with a representation dated 10.01.2024 (P-9). However, even though a considerable time has elapsed, but the matter has not made any tangible progress. Thus, interest/rights of the petitioners are severely impacted.

Served with the advance copy of the petition, Mr. Ankur Mittal, Advocate, along with Ms. Kushaldeep Kaur, Advocate, for respondents No.2 and 3, is present in Court. He submits that as the competent authority is already in seisin of the concerns/grievances of the petitioners, it would rather be expedient if the petition is disposed of, at this stage, to enable the respondent authorities to consider and pass necessary orders on their representation (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, the petitioners shall be heard. And a formal communication, in this regard, shall also be issued to them, well in advance.

Learned counsel for the petitioners is in agreement with the course suggested by learned counsel for respondents No.2 and 3, 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 do the needful, within a specified time.

In response, learned counsel for respondents No.2 and 3 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 the appropriate orders shall be passed within the time indicated by learned counsel for respondents No.2 and 3.

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 petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

02.05.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No