

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204-1

CWP-20713-2015 (O&M)
Date of decision: 24.04.2024

M/s. Daya Nand Shri Kishan and others ...Petitioners

VERSUS

State of Haryana and others ...Respondents

204-2

CWP-20714-2015 (O&M)
Date of decision: 24.04.2024

M/s. Bal Kishan Purshotam Dass and others ...Petitioners

VERSUS

State of Haryana and others ...Respondents

204-3

CWP-23032-2015 (O&M)
Date of decision: 24.04.2024

M/s. Rama Nand Kailash Chand and others ...Petitioners

VERSUS

State of Haryana and others ...Respondents

204-4

CWP-20715-2015 (O&M)
Date of decision: 24.04.2024

Kamla Devi and others ...Petitioners

VERSUS

State of Haryana and others ...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Jaskaran Singh, Advocate for
Mr. Gurpreet Singh, Advocate for the petitioners.

CWP-20713-2015 (O&M)
CWP-20714-2015 (O&M)
CWP-23032-2015(O&M); and
CWP-20715-2015(O&M)

Mr. Pankaj Mulwani, DAG Haryana
for respondent No.1.

Mr. Anil Chawla, Advocate for respondents No.2 to 4.

VINOD S. BHARDWAJ, J. (Oral)

1. All the above four petitions are being decided by a common order as the parties state that there are similar issues involved for consideration.

2. Prayer in the petitions is for setting the demand notice dated 18.08.2015 issued by the Secretary-cum-Executive Officer, Market Committee, Samalkha, District Panipat, Haryana, whereby arrears of rent are sought to be recovered from the petitioners without any authority of law and allegedly by colourable exercise of power and wholly without jurisdiction.

3. Reply on behalf of respondents-Market Committee has been filed, wherein it has been specifically stated that the petitioners have approached this Court directly even though they have a statutory remedy of appeal under Section 40 of the Haryana Agricultural Produce Markets Act, 1961 that would be maintainable before the Chief Administrator, Haryana State Agricultural Marketing Board, Haryana. Even though the said response was filed by the respondent way back in 2017, however, no replication controverting the same has been filed so far.

4. **All the four writ petitions are accordingly disposed of** at this stage with liberty to the petitioners to pursue the alternate remedies under

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CWP-20713-2015 (O&M)
CWP-20714-2015 (O&M)
CWP-23032-2015(O&M); and
CWP-20715-2015(O&M)

Section 40 of the Haryana Agricultural Produce Markets Act, 1961 and file their respective appeals before Chief Administrator, Haryana State Agricultural Marketing Board, Haryana.

5. Needless to mention that in the event of the petitioners approaching the Appellate Authority, the period during which the petitions remained pending before this Court shall be taken into consideration while computing limitation for preferring the appeal(s).

24.04.2024

Mangal Singh

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No