



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.31479 of 2024 (O&M)
Date of Decision :22.11.2024

Vijay Kumar

.....Petitioner

Versus

State of Punjab and others

..... Respondents

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

Present : Ms. Himani Jamwal, Advocate for the petitioner.
Mr. Vipin Pal Yadav, Addl.A.G. Punjab.

ARUN PALLI, J. (Oral):

The petitioner (Vijay Kumar) has 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 for the issuance of directions to the
Respondent No.2 to decide the Appeal dated 23.09.2024
(Annexure P/2) preferred under Clause 17 of “The Punjab
Foodgrains Labour and Cartage Policy- 2024” (Annexure
P/1) in a time bound manner, in the interest of justice,
equity and fair play;

AND

For the issuance of writ in the nature of
Mandamus restraining the Respondent No.3 from finalizing
the Tender in furtherance to “The Punjab Foodgrains
Labour and Cartage Policy-2024” (Annexure P/1) for



appointment of Labour and Cartage Contract at Center Khanna 1&2, District Ludhiana till the time the Appeal of the Petitioner is not adjudicated upon in the interest of justice, equity and fair play.”

Learned counsel for the petitioner submits that the limited grievance that the petitioner has is: even though an appeal, under Clause 17 of the Punjab Foodgrains Labour and Cartage Policy, 2024 has been preferred by the petitioner on 23.09.2024 (P-2), but the same has not been decided to date. In fact, the matter was first listed on 11.10.2024 and the same was partly heard and adjourned to 29.10.2024. However, on 29.10.2024, the hearing was postponed owing to administrative reasons. Thereafter, it was fixed for 07.11.2024, and the matter was not heard on the appointed date but again postponed to 25.11.2024. Thus, this petition.

Served with the advance copy of the petition, Mr. Vipin Pal, learned Additional Advocate General, Punjab, is present in Court. At the outset, he submits, for the appeal is fixed for 25.11.2024 the Authority shall make every possible endeavour to consider and decide the same on the date fixed. And, if for any plausible reason/cause, it is not feasible to decide the matter on the appointed date, then, at best, it shall be decided within a week therefrom by passing necessary orders, in accordance with law, and the same shall be communicated to the petitioner. She submits that before any such orders are passed, the petitioner shall also be heard.

That being so, learned counsel for the petitioner submits that nothing substantive survives in the petition and the same be disposed of, in terms of the statement made by learned State counsel.



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

However, if the matter is not decided within the period indicated above, the petitioner shall be at liberty to move a necessary application in this petition itself for its restoration and appropriate orders.

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

22.11.2024
Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No