

CWP-32174-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-32174-2024Date of decision: 16.12.2024

Gokul Parsad

....Petitioner

Versus

State of Haryana and others

....Respondents

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

Present: Mr. Pranav Malhotra, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner (Gokul Parsad) has prayed for the following
substantive relief:-

***“Civil Writ Petition under Article 226/227 of
the constitution of India, issuance of writ of
mandamus/order or direction to respondent no.2 to allot a
KIOSK to the petitioner in Rehri Market Sector 9,
Panchkula as a fire victim having Rehri Licence no.127 of
the year 1989 in Rehri Market, Sector 9, Panchkula for
carrying on his business.***

***It is further prayed that respondents may
kindly be directed not to allow to unlicensed and cancelled
licences etc persons to carry on their business in an illegal
manner in various Rehri Markets in Urban Estate
Panchkula.”***

Learned counsel for the petitioner submits that, initially, the
petitioner was granted a licence for handcart (rehri) No.127 for Sector-9,
Panchkula, w.e.f 23.03.1989 to 31.03.1990 (P-2). Whereafter, it was

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renewed from time to time. Further, he submits that the petitioner has since remitted the entire licence fee from the date of allotment till 31.12.2023 (P-3). He submits that the limited grievance that the petitioner has is: even though, he has completed the entire documentation process, for formal allotment of a kiosk in terms of the Policy dated 29.07.2022 (P-4), as regards the rehabilitation of license/occupants of Rehri Market Sector 9, Panchkula, which was completely gutted in fire on 01.09.2022, but the matter has not made any tangible progress. Not just that, it is submitted, the petitioner had even furnished applications, along with the requisite documents on 20.09.2022, 28.09.2022, 22.11.2022 and 09.01.2023, per the Policy, but he has not been allotted a kiosk to date. Whereas, the authorities have allotted kiosks to even those, who purchased the licences on General Power of Attorney(s). It is urged that even the representation dated 21.02.2023 (P-5) as also the legal notice dated 02.10.2024 (P-9), the respondent authorities were served with, as regards the concerns/grievances of the petitioner, have failed to evoke any response. Thus, this petition.

Served with the advance copy of the petition, Mr. Amit Jaiswal, Advocate, for the respondent-HSVP, is present in Court. At the outset, he regrets the delay that has occurred in considering the claim of the petitioner. Accordingly, he, on instructions, submits, for the matter is already under active consideration of the competent authority, a formal order, in this regard, shall be passed within a period of four weeks from today. Further, he submits that before any such orders are passed, the petitioner shall be heard, for which, a formal communication shall be issued to him, well in advance.

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 counsel for the respondent-HSVP.

In the wake of the position sketched out above and in terms of the statements made by learned counsel for the parties, the petition is accordingly disposed of.



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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 the respondent-HSVP.

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

16.12.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No