



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-34244-2024(O&M)
Date of decision: 18.12.2024

M/s Balmukand Vinod Kumar and others ... Petitioners
Versus
State of Punjab and others ... Respondents

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

Present: Mr. Nitish Garg, Advocate,
for the petitioners.
Mr. Jastej Singh, DAG, Punjab.
...

ARUN PALLI, J. (Oral)

Petitioners herein have prayed for the following substantive relief:

“CIVIL WRIT PETITION under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of Certiorari for quashing the Impugned Advertisement (to the extent of Bhucho Mandi, Bathinda only) dated 08.12.2024 (Annexure P-1) issued by respondents, the same being in contravention of the rules of the Punjab State Agriculture Marketing Board (Sale and Transfer of Plots) Rules, 1999 as amended January (2008).

AND

For issuance of a writ in the nature of mandamus directing the respondents to allot the plots/shops to the petitioners in the new Grain Market, Bhucho Mandi, District Bathinda at a reserve price and on preferential basis as per the Rules, in the interest of justice.



AND

For issuance of a writ in the nature of Mandamus restraining the respondents from making allotment/auction of the shops/plots at New Grain Market, Bhucho Mandi, District Bathinda as per P-1, during the pendency of the present writ petition in the interest of justice. ”

Learned counsel for the petitioners submits that prior to the institution of this petition, the petitioners had even served the respondent-authorities with a legal notice dated December 11, 2024 (P-4), as regards their concerns/grievances, but to no avail.

Served with the advance copy of the petition, Mr. Jastej Singh, learned Deputy Advocate General, Punjab is present in Court on behalf of the respondents. At the outset, he, on instructions, submits that since the respondent-authorities are already in *seisin* of the legal notice/representation (**ibid**) alleged to have been served by the petitioners, it shall be expedient if this petition is disposed of, at this stage, to enable the competent authority to consider the concerns/grievances of the petitioners. And pass appropriate orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioners through their authorized representative(s) shall be heard, for which a formal communication would be issued, well in advance.

Learned counsel for the petitioners is agreeable to the course suggested by learned Deputy Advocate General, Punjab. However, he submits that the authorities be directed to take a decision within a specified time.

In response, learned Deputy Advocate General, Punjab submits that necessary orders shall be passed within a period of 4 weeks from today.

In the wake of the position sketched out above, and in terms of the statements made by learned counsel for the parties, the petition stands disposed of. This Court is sanguine that the respondent-authorities shall consider the matter in the right earnest, and pass the appropriate orders within the time indicated by learned Deputy Advocate General, Punjab.

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

18.12.2024
Rajan

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO