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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 17664/2024**

SURENDER

.....Petitioner

Through: Mr. Aditya, Ms. Pralika Chakraborty,
Ms. Anjani Kumar Mishra and Mr.
Kailash Kumar Sha, Advocates.

versus

**DELHI AGRICULTURAL MARKETING BOARD AND
ANR**

.....Respondents

Through: Mrs. Avnish Ahlawat, Standing
Counsel with Mr. Nitesh Kumar
Singh, Ms. Laavanya Kaushik, Ms.
Aliza Alam and Mr. Mohnish
Sehrawat, Advocates for APMC.

**CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER
20.12.2024**

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1. The Petitioner is a licensed Commission Agent of Agricultural Produce Marketing Committee,¹ Azadpur and the President of General Fruit and Vegetables Merchants Association. He states that he operates from General Shed No. 2 of the APMC, Azadpur for the purpose of trade of seasonal vegetables.
2. The Petitioner has filed the instant petition being aggrieved by the ongoing construction of a Public Toilet in the APMC Mandi. The Petitioner submits that the construction of the Public Toilet at the present location hampers the movement and parking of trucks at Phar Nos. 21 and 22 for the

¹ "APMC"



purpose of loading and unloading of the vegetables, effectively rendering them non-functional.

3. In this regard, the Petitioner has made a representation dated 22nd November, 2024 to the Respondents, requesting them to shift the Public Toilet from the present location, *i.e.*, Shed No. 2, Phar No. 21 and 22, APMC, Azadpur to another location within the APMC.

4. However, since no action has been taken by the Respondents, the Petitioner has approached this Court, seeking a mandamus to the Respondents to shift the under-construction Public Toilet from its present location to some other suitable location.

5. In the opinion of the Court, the issue regarding the planning and layout of the Mandi is beyond the jurisdiction of this Court and cannot be subject to intervention. These issues squarely fall within the purview of APMC Azadpur. Having regard to the totality of circumstances, the requirement of the licensees and other visitors to the Mandi, the facility of Public Toilet is an essential necessity for the Mandi. It must, therefore, be constructed in a manner that ensures its convenient accessibility and usability by all visitors and the licensees in the Mandi.

6. Therefore, the Court finds no grounds to interfere in the present matter.

7. The Petitioner's representation shall be considered by the Respondents on its own merits.

8. Accordingly, the petition is disposed of.

SANJEEV NARULA, J

DECEMBER 20, 2024

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