



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-1323-2025

Date of Decision : **20.03.2025**

MOHAMMED MUSHTAQ AND ANOTHER

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Abhimanyu Balyan, Advocate and
Ms. Raina Godara, advocate,
for the petitioners.

Mr. Bhupender Singh, DAG, Haryana
for respondents no.1 to 4.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a *mandamus* upon the official respondents, to release the balance subsidy for installation of poly houses in the farms of the private respondents no.5 to 8.
2. Mr. Manoj Kumar Taya, Advocate, has caused appearance on behalf of respondents no.5 to 8, through a validly executed power of attorney in his favour. The same is taken on record.
3. This Court vide order dated 18.01.2025, passed the hereinafter extracted order:-

“The main grievance which propelled the present petitioners to approach this Court by casting instant petition under

Article 226 of the Constitution of India, is the indolent and lackadaisical approach of the authority concerned, in not deciding his representation (Annexure P-18).

Notice of motion.

Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of respondents No.1 to 4, and waives service.

He seeks time to file a response to the instant petition.

Notice to respondents No.5 to 8 be issued for 20.3.2025 on furnishing of requisite process fee.

The competent authority amongst the respondent, is directed to make its all endeavours to take final decision on the representation (Annexure P-18), within a period of 02 weeks from today, and a copy of the decision, so taken, shall be placed on record, positively, on or before the next date of hearing.

In case the compliance of the aforesaid direction is not made, respondent no.2 shall cause his personal appearance before this Court on the next date of hearing.

To be shown in the urgent list.

It is further made clear that no request for an adjournment shall be entertained on the next date of hearing from either of the parties. ”

4. In deference to the aforesaid direction, a short reply, dated 12.03.2025, by way of an affidavit of Sh.Dharam Singh Yadav, Addl. Director Horticulture, Directorate of Horticulture, Haryana, alongwith a copy of order dated 31.01.2025(Annexure R-1), has been filed on behalf of respondents no.1 to 4, today in Court, by the learned State counsel, today in Court with a copy thereof supplied to learned counsel opposite. The same is ordered to be taken on record.

5. The reply (*supra*), vividly postulates that a speaking order dated 31.01.2025 (Annexure R-1), has been passed, wherethrough, the claim of the present petitioner has been declined.

6. In view of the above factual position, the prayer made in the instant petition has rendered infructuous. However, the petitioner has any grievances from the order (*supra*), he is at liberty to challenge the same before the appropriate authority/forum concerned.

7. **Dismissed** as having been rendered infructuous, with the aforesaid liberty.

March 20, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No