

2025:PHHC:023851



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

CWP-9274-2019

Date of Decision: **18.02.2025**

Lajja Wati

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Afjal Hussain, Advocate for the petitioners.

Mr. Rajesh Gaur, Addl. AG, Haryana.

Mr. Vivek Chauhan, Advocate for respondent Nos.2 to 5.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition prayer has been made for issuance of the directions upon the respondents to grant prize won by the husband of the petitioner (now deceased) under 'Krishak Upahar Yojana' launched by the State government to promote the farmers.

2. A perusal of Kisan Draw Coupon (Annexure P-1), clearly reflects that husband of the petitioner was the winner of the tractor, as being winner of first prize vide Coupon No.D-007055, and despite that, the prize has not been given to him. Apparently, from the reply the objection which was taken by the respondents-Market Committee by filing the written statement is that the husband of the petitioner does not fulfill the condition of being a farmer, therefore, he is not entitled for the first prize as per the terms and conditions of the scheme. It is further submitted that the husband of the petitioner was running a commission agent shop, therefore, issuance of 'Form-J' by the husband of the petitioner in his own name through his own firm created a

doubt about the petitioner being a farmer.

3. Learned counsel for the petitioner, while drawing the attention of this Court, towards the terms and conditions of the 'Krishak Upahar Yojana' submits that there is no precondition that a person, who is only a farmer, would be eligible to participate. As per the terms and conditions there is no embargo upon the person, who is also a farmer and is also doing some other business.

4. Learned counsel for the respondents though is unable to refuse the contention as raised by the learned counsel for the petitioner but submits that the petitioner has not approached respondent No.2-Chief Administrator, Haryana State Agricultural Marketing Board, Panchkula, who has to resolve the said issue, in case of any dispute, arises as per circular dated 01.12.2015. He further submits that in case the petitioner approaches to the authority concerned, by making any such representation, then a speaking order shall be passed, while deciding the claim of the petitioner.

5. In view of the above stand taken by the respondents-State, this Court, at this stage deems it fit/appropriate to relegate the petitioner to the Chief Administrator, State Agricultural Marketing Board, Panchkula. And further directs that if the petitioner approaches, and files a claim petition within a period of one month from today, by taking all the pleas, which have been raised before this Court, the concerned authority after giving adequate opportunity to the petitioner, shall decide the claim of the petitioner by passing a speaking order.

6. Accordingly, the present petition stands **disposed of**.

18.02.2025

Parveen kumar

(KULDEEP TIWARI)
JUDGE

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