

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

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**CWP-27845-2025 (O&M)
Date of Decision :18.11.2025**

Tahal Singh and others

...Petitioners

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present: Mr. Gurminder Singh, Senior Advocate with
Ms. Harpriya Khaneka, Advocate for the petitioners.

Ms. Anu Pal, Addl. A.G. Haryana.

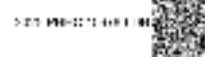
Mr. Shubham Sharma, Advocate for
Mr. Randhir Singh Badhran, Advocate for respondent N.5-FCI.

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HARSIMRAN SINGH SETHI J. (ORAL)

1. Present writ petition has been filed for issuance of writ of mandamus directing the respondents No.4 to 9 (Procurement Agencies) to release the payment of statutory auction charges as per the notified rates from 2001 onwards along with interest @ 18% on account of delayed payment to the petitioners, who are auctioneers duly engaged to conduct auction of agricultural produce under the provisions of Agriculture Produce Market, 1961 Rules

2. Learned Senior counsel appearing for the petitioners submits that the only argument which is being pressed is that in case the services of the auctioneers are engaged for auction of the produce brought in the market, they should be given the auction charges even if the produce is ultimately sold on MSP hence, declining of benefit of auction charges to the



auctioneers by interpreting the law refer Rule 24 of Haryana Agriculture Produce Market General Rules (as applicable in Haryana since 1999) to mean that even where the auction only result in the sale price which is equivalent to MSP, no charges is to be paid, is illegal and the said auction is liable to be set aside.

3. Notice of motion.

4. Ms. Anu Pal, Addl. A.G. Haryana accepts notice on behalf of respondent-State and Mr. Shubham Sharma, Advocate for Mr. Randhir Singh Badhran, Advocate accepts notice on behalf of respondent N.5-FCI.

5. Learned counsel for the respondent-State submits that the interpretation which is being put by the learned Senior counsel for the petitioners that even when the produce is put to auction by engaging the services of the auctioneers and the produce is sold on the MSP, the auction charges are not to be paid are incorrect as it is only when the produce is sold without the assistance of the auctioneers on the MSP, no auction charges are to be paid as per Rule 24 (2) of Haryana Agricultural Market Produce Rules, 1962.

6. Learned counsel for the respondent-State on instructions from Mr. Mukesh Kumar Ahuja, Chairman HSAMB submits that in case, the produce is brought in the market and the services of the auctioneers are engaged and the produce even if sold on the MSP, the auction charges will be paid to the auctioneers conducting the said auction under provisions of Punjab Agricultural Produce Market Rules, 1962 & bye-laws (as adopted by State of Haryana).

7. Learned counsel for the respondent No.5-FCI raises no objection to the said interpretation given by the learned counsel for the respondent-State qua the amended Rule 24 of the Haryana Agricultural Produce Markets (General) Rules, 1962 as amended in 2023.

8. Learned Senior counsel appearing for the petitioners submits that keeping in view the stand taken by the learned counsels for the respondent-State and respondent No.5-FCI, no further grievance of the petitioners survives in the present petition and the same may kindly be

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9. Ordered accordingly.

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Whether reportable : No