



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

**CWP No.2756 of 2025 (O&M)
Date of Decision :31.01.2025**

Fruit and Vegetable Merchants Association (Regd.)
.....Petitioner

Versus

State of Punjab and others
..... Respondents

CORAM: **HON'BLE MR.JUSTICE ARUN PALLI**
HON'BLE MRS.JUSTICE SUDEEPTI SHARMA

Present : Mr. Sukhandeep Singh, Advocate for the petitioner.

ARUN PALLI, J. (Oral):

Petitioner (Fruit and Vegetable Merchants Association) has prayed for the following substantive relief:-

“Writ Petition under Articles 226/227 of the Constitution of India with a prayer for issuance of an appropriate writ, order or direction especially in the nature of Certiorari for quashing and setting aside the impugned demand notices (Annexure P-8) dated 28.08.2024 and 16.01.2025 issued under Section 112-A(5) of the Punjab Municipal Corporation Act, 1976 by the respondents No.2 to 4 to the members of the petitioner association (Annexure P-7) being arbitrary, non-speaking, illegal, unconstitutional and against the provisions of Punjab Municipal Corporation Act, 1976;

AND/OR

In the alternative: to issue a writ in the nature of Mandamus directing the respondent No.2 to decide the representation dated 02.09.2024 (annexure P-9) and legal notice dated 24.09.2024 (Annexure P-10) sent by the petitioner association, in

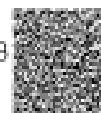


a time bound manner by passing a speaking order after granting opportunity of being heard to the petitioner association and in the meanwhile, coercive steps may not be taken against the members of the petitioner association in pursuance of impugned demand notices (Annexure P-8) issued under Section 112-A(5) of the Punjab Municipal Corporation Act, 1976.”

At the outset, learned counsel for the petitioner fairly submits that prior to the institution of this petition, the petitioner had even served the respondents-authority with a representation dated 02.09.2024 (P9) as also legal notice dated 24.09.2024 (P10) as regards its concerns and grievances. However, it is urged that even though a considerable time has elapsed but the matter has not made any tangible progress. Thus, this petition.

Served with the advance copy of the petition, Mr. Saurabh Kapoor, Addl. A.G. Punjab, is present in Court for respondents No.1 and 7, Mr. Sanjeev Soni, Advocate for respondents No.2 to 4-Corporation and Mr. G.S.Dhot, Advocate for respondents No.5 and 6.

At the outset, learned counsel for the respondent-Corporation submits that the orders that are being assailed in the petition are appealable under Section 112 of the Punjab Municipal Corporation Act, 1976. Be that as it may, he submits that as the competent authority has already in seizin of the concerns/grievances of the petitioner, it would be expedient, if the petition is disposed of, at this stage, to enable the respondents-authority to deal therewith and pass necessary orders on the representation as also the legal notice (ibid), in accordance with law. Further, he submits that before any such orders are passed, the authorized representative(s) of the petitioner-Association, shall



individually be heard and for this he can appear before the competent authority on 6.02.2025 at 11.00 A.M.

Learned counsel for the petitioner is agreeable to the course suggested by learned counsel for the respondents-Corporation and submits that let this petition be disposed of in terms of the statement made by him. However, it is urged that the competent authority be directed to decide the matter within a specified time.

In response, learned counsel for the respondents submits that appropriate orders shall be passed within four weeks from today.

The petition is, accordingly, disposed of in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the respondents-authority shall look into the matter in the right earnest. And, appropriate orders, in accordance with law, shall be passed within the time indicated by the learned counsel for the respondents-Corporation.

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 claim/grievance of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

31.01.2025

Manoj Bhutani

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