

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

220

CWP-24180-2018 (O&M).
Date of decision: 22.09.2022.

Suresh Devi

...Petitioner

Versus

Chief Administrator, Marketing Board, Haryana, and another
...Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Sandeep Thakan, Advocate for the petitioner.

Mr. Pritam Singh Saini, Advocate
for the respondents.

VINOD S. BHARDWAJ. J (ORAL).

The present writ petition has been filed under Articles 226/227 of the Constitution of India, seeking issuance of a writ in the nature of certiorari to quash the impugned order dated 16.10.2017 (Annexure P-8) passed by the Executive officer-cum-Secretary, Market Committee, Charkhi Dadri, vide which the claim of the petitioner has been rejected by passing a non-speaking order.

Learned counsel for the petitioner contends that the petitioner is entitled to compensation in terms of 'Mukhya Mantri Kisan Evam Khetidar Mazdoor Jivan Suraksha Yojna, 2013.'

Learned counsel appearing on behalf of the respondents points out that as per clause 9 of the aforesaid Scheme, the Chief Administrator of the Board has been nominated as an Authority to dispose of the grievances, if any, of any party against the order passed by the Executive officer-cum-Secretary, Market Committee, under the Scheme. He contends that the petitioner never approached the competent Authority and as and when the petitioner approaches the competent Authority, a reasoned and speaking order shall be passed on the appeal within a period of two months from the date of filing of the appeal.

Learned counsel for the petitioner contends that the present petition may be treated as an appeal subject to the petitioner paying the requisite Court fee as may be prescribed under the relevant statute.

The aforesaid prayer is not objected by the learned counsel appearing on behalf of the respondents.

Consequently, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of with a direction to respondent No.1 – the Chief Administrator, Haryana State Agricultural Marketing Board, Panchkula, to treat the instant writ petition as an appeal subject to compliance of the necessary requirements by the petitioner and to pass a reasoned and a speaking order thereupon after affording an opportunity of hearing to the respective parties within a period of two months of the receipt of

certified copy of this order after affording an opportunity of hearing to the respective parties.

Disposed of in above terms.

September 22, 2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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