

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 17758/2022

Sanwarmal S/o Shri Laduram Yadav

----Petitioner

Versus

The Administrator (Chairman)

----Respondent

For Petitioner(s) : Mr. Rajeev Surana, Sr. Advocate with
Mr. Umang Jain

For Respondent(s) :

HON'BLE MR. JUSTICE SAMEER JAIN

Order

07/08/2023

Present petition is filed against the impugned order dated 25.07.2023, whereby the Directorate Agriculture Marketing Court, Jaipur has dismissed the appeal preferred by the petitioner and has taken a decision for non-allotment of shop in favour of the petitioner.

Learned counsel for the petitioner has submitted that by virtue of order dated 21.07.2008, the Division Bench of this Court had remitted the matter back to the learned Single Judge for adjudicating upon the allotment of shop qua the petitioner as per the relevant guidelines. Thereafter, in light of the said order, learned Single Judge further remitted the matter back to the Original Authority. Subsequently, the Original Authority vide order dated 25.07.2022 rendered a perverse finding and distinguished the case of the petitioner from the identically placed Mohan Lal, Kanaram, Govindram and Keshavram. In this regard, learned counsel submitted that the case of the petitioner was wrongly

distinguished, despite the petitioner's case being identical with the
aforementioned individuals, in facts as well as the law applicable.

Considering the above submissions, this court is inclined to
issue notice to the respondents.

Learned counsel for the petitioner is directed to supply a
copy of the memo of petition in the office of Mr. Ajay Pratap Singh,
Dy.G.C. and Ms. Manju Joshi, during the course of the day.

Matter be listed for final disposal on 04.09.2023 at 2.00 PM.

Status quo qua Shop No. 50 be maintained by parties, till the
disposal of the petition.

(SAMEER JAIN),J