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C.A.No. 349 OF 1999  
ITEM No. 108  
Court No. 3  
SECTION IV

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 349 OF 1999

M/S SAINI TRADING CO. & ORS.

....  
APPELLANT (S)

VERSUS

STATE OF HARYANA & ORS.

....  
RESPONDENT (S)  
(With appln. for stay/further directions and with office report)

WITH  
C.A. NO. 423/1999  
(With office report)  
C.A. NO. 772/1999  
(With office report)  
S.L.P. (C) NO. 5112/1999  
(With appln. for c/delay in filing SLP and with office report)  
R.P. (C) Nos. 1224-1226/1998  
(With appln. for stay and with office report)  
R.P. (C) No. 1405/1998  
With office report)

Date : 09/03/2004  
This/These Appeal(s) was/were mentioned today.

CORAM :  
HON'BLE MR. JUSTICE R.C. LAHOTI  
HON'BLE MR. JUSTICE ASHOK BHAN

For Appellant (s)  
in CA 349/99Mr. Jasbir Singh Malik, Adv.  
Ms. Sunita Sharma, Adv.

in CA 423/99Mr. Aftabh Ali Khan, Adv.  
Mr. Goodwill Indeevar, Adv.

in CA 772/99Mr. S.B. Sanyal, Sr. Adv.  
Mr. Neeraj Kumar Jain, Adv.  
Mr. Aditya Kumar Choudhary, Adv.  
Ms. Kavita Wadia, Adv.  
For Mr. Mahabir Singh, Adv.  
For Petitioner (s)  
in SLP 5112/99Mr. Jasbir Singh Malik, Adv.  
Mr. S.K. Sabharwal, Adv.

in RP 1224-26/98 Mr. Jasbir Singh Malik, Adv.  
Mr. Kishan Datta, Adv.

in RP 1405/98Mr. Jasbir Singh Malik, Adv.  
Mr. Rao Ranjit, Adv.  
For Respondent (s)  
For RR 1&2 in CA 349/99Mr. Anoop George Choudhary, Sr. Adv.  
Mr. Prem Malhotra, Adv.

Mr. Rishi Malhotra, Adv.

For Rrs 3 to 8 Ex parte

For all rrs in CA 423/99 Mr. Anoop George Choudhary, Sr. Adv.  
Mr. Prem Malhotra, Adv.  
Mr. Rishi Malhotra, Adv.

For RR 1 in CA 772/99 Mr. Pradeep Gupta, Adv.  
Mr. K.K. Mohan, Adv.  
Mr. S.K. Trivedi, Adv.

For Rrs 2 & 3 Ex parte

For Rrs in SLP 5112/99 Mr. S.B. Sanyal, Sr. Adv.  
Mr. Neeraj Kumar Jain, Adv.  
Mr. Aditya Kumar Choudhary, Adv.  
Ms. Kavita Wadia, Adv.  
For Mr. Mahabir Singh, Adv.

For Rrs in RP 1224-1226/98 Mr. Anoop George Choudhary, Sr. Adv.  
Mr. Rishi Malhotra, Adv.  
Mr. Prem Malhotra, Adv.

For RR 1405/98 Mr. Anoop George Choudhary, Sr. Adv.  
Mr. Rishi Malhotra, Adv.  
Mr. Prem Malhotra, Adv.

UPON hearing the counsel, the Court made the following

O R D E R

Mr. Jasbir Singh Malik commenced his submissions at 3.35 p.m. and was on his legs when the Court rose for the day leaving the matters part-heard.

RITU CHAWLA

(PROMILA NAGPAL)

COURT MASTER

...3/-

ITEM NO. 101 COURT NO. 3DT.10/03/2004

CORAM & APPEARANCE : SAME AS ABOVE.

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Mr. Jasbir Singh Malik resumed his arguments at 11.15 A.M. and concluded at 11.40 A.M.  
Mr. Anoop G. Choudhary, the learned senior counsel made his submissions for ten minutes. Mr. S.B. Sanyal, the learned senior counsel addressed the Court for ten minutes.

Hearing concluded.

Civil Appeal No. 423/1999 is dismissed and Civil Appeal No. 772/1999 be treated as disposed of in terms of the respective signed orders.

Judgment reserved in other matters.

KALYANI

(RADHA R. BHATIA)

COURT MASTER

(SIGNED ORDERS IN CA NOS. 423/1999 AND 772/1999 ARE PLACED ON FILE.)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 423 OF 1999

SHIAMUDDIN & ORS.

.....

APPELLANT (S)  
VERSUS

STATE OF HARYANA AND ORS.

.....

RESPONDENT (S)

O R D E R

The appellants herein filed a writ petition in the High Court claiming allotment of plots in the reserved category of 'displaced land owners' which petition has been directed to be dismissed by the High Court. The facts which emerge from the record are that the land was acquired on 21st February, 1973 and at that time there was no such reservation policy. On 18th October, 1985, the Haryana State Agricultural Market Board took a policy decision that there shall be reservation to the extent of 10 per cent of 'booth plots' in favour of displaced land owners. The counter affidavit filed on behalf of the Market Committee, Ballabgarh states that so far as this Market Committee is concerned it came into existence in the year 1986 by succeeding to the erstwhile Market Committee. It is not the case of the appellants that there has been any allotment or distribution of plots in violation of the reservation policy dated 18th October, 1985 and wherein their rights may have been violated. The Executive Officer-cum-Secretary of Market Committee, Ballabgarh has clearly stated that ever since the formation of this Market Committee there has been no 'booth plot' sold or allotted to anyone. The question of granting any relief to the appellants does not arise. The High Court was right in dismissing the petition. This appeal is also dismissed as devoid of any merit.

.....J  
(R.C. LAHOTI)

.....J  
(ASHOK BHAN)

NEW DELHI;  
MARCH 10, 2004.

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 772 OF 1999

HARYANA STATE AGRICULTURE MARKETING BOARD AND ANR.

.....

APPELLANT (S)

VERSUS

BHARAT BHUSHAN AGGARWAL AND ORS.

.....

RESPONDENT (S)

O R D E R

The learned counsel for the appellants very fairly states that the dispute in this case is confined to allotment of plots in the market yard to the respondent Nos. 1 and 2. Not only the plots have been allotted but the respondents have also raised their construction thereon. In view of this development, the learned counsel for the appellants submits that the appeal has become infructuous.

The appeal be treated as disposed of without any adjudication on merits.

.....J  
(R.C. LAHOTI)

.....J  
(ASHOK BHAN)

NEW DELHI;  
MARCH 10, 2004.