

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

**CWP No.22075 of 2016
Date of decision: 24.10.2016**

M/s Luxmi Rice Mills Kutba Mehal Kalan

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Satish Goel, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (ORAL)

Feeling aggrieved against the communication dated 27.09.2016 (Annexure P-9), which, in turn, is based on letter No.1886 dated 27.07.2016, placed on record with the present writ petition as Annexure P-4, petitioner has approached this Court, by way of instant writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of certiorari, for quashing these two communications (Annexures P-4 and P-9).

Heard learned counsel for the petitioner.

At the very outset, learned counsel for the petitioner fairly states that he has got the clear instructions from the petitioner to say that the petitioner is ready and willing to deposit the amount of Rs.10,76,000/- along with interest @12% per annum with District Manager, PUNSUP, Barnala-respondent No.4 within a period of 10 days from today.

Learned counsel for the petitioner submits that deposit of abovesaid amount may be ordered subject to final settlement of this amount between the parties. Learned counsel for the petitioner further submits that petitioner will also furnish an undertaking before respondent No.3 that whatever will be the finally settled amount between the petitioner and PUNSUP, he shall deposit that amount also within a period of one month after the decision thereof.

Learned counsel for the petitioner also submits that on deposit of the abovesaid amount by the petitioner with respondent No.4, let respondents No.3 and 4 may be directed to reconsider the genuine claim of the petitioner for registration of the mill for the current paddy season for the year 2016-2017 and may also consider the claim of the petitioner for allotment of paddy for the current season.

Having heard the learned counsel for the petitioner and without expressing any opinion on merits of the case, lest it should prejudice the rights of either of the parties, present writ petition is disposed of, with a direction to District Manager, PUNSUP, Barnala-respondent No.4 that if the petitioner deposits the amount of Rs.10,76,000/-, disclosed in his letter No.1886 dated 27.07.2016 (Annexure P-4), along with interest @12% per annum within a period of 10 days from today and furnishes an undertaking to pay the amount finally settled between the parties within a period of one month, the said amount shall be accepted by respondent No.4 without prejudice to rights of either of the parties and subject to final settlement of the amount between the parties. Thereafter, Controller, Food Civil Supplies and Consumer Affairs, Barnala-respondent No.3 shall immediately consider the claim of the petitioner for registration for the current paddy season for the year 2016-2017 and also

allotment of paddy for custom milling without any further loss of time and in any case within a period of 10 days after deposit of amount by the petitioner.

With the abovesaid observations made and directions issued, present writ petition stands disposed of.

24.10.2016
vishnu

[RAMESHWAR SINGH MALIK]
JUDGE

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