

Civil Writ Petition No. 23759 of 2016

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

**Civil Writ Petition No. 23759 of 2016
Date of Decision: 18.11.2016**

Shree R.R. Agro Industries Dehliz Road through its proprietor Abhinandan
Goyal

.....Petitioner

Vs.

The State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. D.D. Bansal, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Feeling aggrieved against the alleged inaction on the part of respondent authorities, 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 Mandamus.

Learned counsel for the petitioner places reliance on Annexures P-1 to P-3, to contend that petitioner was allotted 8220 MT of paddy during KMS 2015-16. Petitioner milled the total paddy supplied to it and delivered the requisite quantity of milled rice to the tune of 5651 MT, completing the

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total supply by 29.2.2016, as these facts are mentioned in Annexure P-3, at page 57 of the paper book. He further submits that in view of the policy decision (Annexure P-2), petitioner is entitled for allotment of 8220 MT paddy +5% thereof. However, this time, petitioner has been allotted 5700 MT paddy and the remaining quantity is not being allotted to the petitioner for undisclosed reasons. Petitioner had been approaching the office of respondent No.5, making repeated requests, but to no avail. He further submits that petitioner shall approach respondent No.5 by moving an appropriate representation within a period of three days from today and he may be directed to consider and decide the same at an early date.

Having heard learned counsel for the petitioner and without expressing any opinion on the 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 the District Controller, Food, Civil Supplies & Consumer Affairs, (East), Ludhiana-respondent No.5 that if the petitioner approaches him by moving an appropriate representation within a period of three days from today, he shall consider and decide the same at an early date, by passing an appropriate order thereon, strictly in accordance with law, but in any case within a period of two weeks from the date of receipt of representation from the petitioner.

Keeping in view of the peculiar facts and circumstances of the case, noticed hereinabove and also to ensure that genuine claim of the petitioner may not get frustrated, respondent No.5 is further directed to retain the remaining quantity of paddy for which the petitioner is claiming its entitlement for allotment. Respondent No.5 is also directed that in case the petitioner is found entitled for allotment of remaining quantity of paddy,

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the same shall be allotted to the petitioner immediately, after passing of the appropriate order and the paddy so allotted, shall be released in favour of the petitioner without any further delay.

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

18.11.2016
Ak Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

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