

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

Civil Writ Petition No. 23953 of 2016
Date of Decision: 21.11.2016

R.S. Rice Industries through its proprietor Ravinder Gupta

.....Petitioner

Vs.

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, the 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/Mandamus.

Learned counsel for the petitioner, at the very outset, fairly states that he does not intend to press this writ petition qua the writ of Certiorari, for the time being. He submits that two purchase centres were allotted to the petitioner, i.e. Mehdoodan and Samrala, vide Annexure P-7. However, respondent No.5, without any notice to the petitioner or granting an opportunity of being heard, unilaterally, issued communication dated 15.11.2016 (Annexure P-8), removing Samrala purchase centre from the

Civil Writ Petition No. 23953 of 2016

allotment, thereby causing serious prejudice to the petitioner. He submits that although petitioner is seeking only a writ in the nature of Mandamus, yet it did not approach the competent authority, i.e. respondent No.5, by moving an appropriate representation, before filing present writ petition. He further submits that given an opportunity, petitioner shall approach the District Controller, Food, Civil Supplies & Consumer Affairs, (East), Ludhiana-respondent No.5 by moving an appropriate representation within a period of one week from today and he may be directed to consider and decide the same, within a reasonable time.

Having heard the 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 one week from today, raising its grievance about removal of Samrala purchase centre from the list of entitlement of the petitioner, 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.

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

(RAMESHWAR SINGH MALIK)
JUDGE

21.11.2016
Ak Sharma

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