IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Date of Decision: February 01, 2016.

1. C.W.P No. 9695 of 2012(O&M)

M/s Nanksar Rice General Mills ..... Petitioner

Versus

State of Punjab & Ors. .....Respondents

2. C.W.P No. 17393 of 2012(O&M)

M/s Shiv Shankar Rice Mills ..... Petitioner

Versus

State of Punjab & Ors. .....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present:- Mr. Amrindra Pratap Singh, Advocate, for
Mr. Parvez Chugh, Advocate, for the petitioner(s).

Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

Mr. Vikas Chatrath, Advocate, for respondent No. 3.

Mr. A.P.S.Mann and Mr. Daman Dhir, Advocates,
for respondent No.7.

Rajesh Bindal, J.

This order will dispose of two petitions bearing CWP Nos. 9695 and 17393 of 2012. However, the facts have been extracted from C.W.P Nos. 9695 of 2012.

The petitioner approached this Court with a direction to the respondents to release bonus on the custom milling of paddy allotted to the petitioner for the year 2009-2010. For the purpose of the claim, reliance has

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been placed on a letter No.5/10/2009-Py.I, dated 06.10.2010 (Annexure P/1) issued by Government of India, Ministry of Consumer Affaris, Food and Public Distribution, Department of Food and Public Distribution, providing that bonus shall be payable for milling of PAU 201 paddy procured in Punjab during the season 2009-2010.

In reply to the petition filed by the State of Punjab, the definite stand taken is that a paddy of PAU 201 was not stored in the sheller of the petitioner for milling. As the petitioner had not milled that variety of paddy, hence was not entitled to the bonus with reference to the letter dated 06.10.2010 issued by the Government of India.

The aforesaid reply was filed in August 2012, but no replication has been filed till today.

On the last date of hearing, the case was adjourned on the request of learned counsel for the petitioner subject to cost of ₹5000/- to be deposited in the High Court Lawyers Welfare Fund, Chandigarh. The said order has not been complied with.

Considering the fact that as per the policy, bonus was payable only for milling PAU 201 paddy for the season 2009-2010 and no such paddy was allotted to the petitioner for milling, as claimed by the State, thus, petitioner is not entitled to any bonus.

The present petitions are accordingly dismissed.

(RAJESH BINDAL)
JUDGE

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