

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

(227)

**CWP-21371-2016 (O&M)
Decided on: March 29, 2017.**

M/s GN General Mills

.... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Nitin Kaushal, Advocate, for the petitioner.

Mr. S.S. Chandumajra, Addl. A.G., Punjab.

Mr. C.S. Bakhshi, Advocate,
for respondents No. 2 and 4.

Ms. Suman Devi, Advocate, for
Ms. Deepali Puri, Advocate, for PUNSUP.

M.M.S. BEDI, J (ORAL)

Petitioner has sought a direction to the respondent authorities to allot paddy under the custom milling policy to the petitioner for ensuing Khariff Marketing Season 2016-17.

During pendency of the petition, the rights of the petitioner had been safeguarded by issuing a direction to keep stocks of paddy available for the petitioner.

On account of a number of controversies raised and due to lapse of substantial time for custom milling, the paddy was not allotted to the petitioner despite the fact that an interim direction was given that paddy be allotted to the petitioner on his furnishing bank guarantee of Rs.29 lacs.

A copy of order dated 27.03.2017 has been produced on the record indicating that since a few days of the milling season are left, the petitioner miller should be considered for allotment for the next milling

seasons KMS 2017-18, as having been allotted 13200 MT of paddy during the current season KMS 2016-17.

After hearing learned counsel for the petitioner and going through the terms and conditions of the settlement arrived at between the petitioner and PUNGRAIN, it is apparent that in view of petitioner being entitled to be allotted 13200 MT of paddy during KMS 2016-17 and he having not been provided the stocks, an assurance has been given to him for allotment of paddy weighing 13200 MT in the next milling season KMS 2017-18.

Learned counsel on behalf of respondents No. 3 and 4 on the basis of settlement dated 27.03.2017, has stated that he has got instructions to state that the proposal and acceptance between the PUNGRAIN and the petitioner having been accepted, no objection certificate will be deemed to have been given by PUNGRAIN for allotment of paddy to the petitioner for KMS 2017-18.

This writ petition is disposed of on the basis of settlement dated 27.03.2017 which has been arrived at between the parties. It is made part of the record and is taken on record as compromise Annexure X. It will be binding on the petitioner and the PUNGRAIN for KMS 2017-18. In case, there is violation of above said settlement, it will be open to the petitioner to approach this Court in the month of October/November, 2017 for revival of the petition.

(M.M.S. BEDI)
JUDGE

March 29, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No