

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-18006-2018(O&M)
Date of Decision: 01.05.2018

Jasbir Singh & another

--Petitioners

Versus

State of Punjab and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. C.M. Munjal, Advocate for the petitioners.

TEJINDER SINGH DHINDSA.J (Oral)

Instant petition has been filed under Section 482 Cr.P.C praying for issuance of directions to official respondents no.1 to 3 to take appropriate and prompt criminal action against respondents no.4 to 6 under the provisions of the Seed Control Act, the Essential Commodities Act and under sections 420, 467, 468, 471 I.P.C as also under the provisions of Prevention of Corruption Act.

Essentially the petition is founded on an allegation that the Joint Director, Agriculture now holding the charge of Director, Agriculture, Punjab (impleaded as party/respondent no.4 herein) has in a fraudulent manner and with an ulterior motive added two varieties of paddy in Form C in relation to a license held in the name of Sh. Bhupinder Garg son of Ashok Garg (respondents no.5 and 6 herein) and thereby authorizing the afore-noticed two private respondents to even carry on the business of a dealer in seeds in relation to the afore-noticed two varieties of paddy.

Precise submission raised is that these are inferior quality seeds and the end result would be low crop yield and the farmers would accordingly suffer.

Having heard counsel for the petitioner at length, this Court is of the considered view that no intervention in the matter would be possible in the light of pleadings on record.

It has gone uncontroverted that a licensed dealer in seeds may continue to carry on his operation/business pertaining to varieties of crops as per the Seed Control Order, 1983 or as recommended by Punjab Agricultural University, Ludhiana for cultivation in the State of Punjab.

The instant petition is completely bereft of any averments wherefrom this Court may even take a prima facie view that CR-212 and CR-244(varieties of paddy) are not covered under the Seed Control Ordrr, 1983 or are varieties that are not recommended by the Punjab Agricultural University, Ludhiana for cultivation in the State of Punjab.

No such document/material has even been adverted to by counsel during the course of hearing.

In the absence of the necessary material/averments on record it would not be possible for this Court to consider the prayer raised.

Present petition is, accordingly, disposed of with liberty to the petitioners to avail of their alternate remedies as may be available in accordance with law but upon demonstrating that the two varieties of paddy i.e. CR-212 and CR-244 are not covered by any statutory order or recommendation by the appropriate authority.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

01.05.2018
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No