

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

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CWP-26746-2015

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Date of Decision: 03.05.2018

MALKEET SINGH BALIANWALI AND ORS. ...Petitioner(s).

Versus

THE UNION OF INDIA AND ORS. ...Respondent(s).

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. Tarun Jhatta, Advocate for
Mr. B.S. Sidhu, Advocate
for the petitioners.

Mr. Arun Gosain, Advocate
for respondents No.1, 2 to 5.

Mr. Sandeep Moudgil, Addl. A.G., Haryana.

Mr. Jagmohan S. Ghuman, DAG, Punjab.

ANUPINDER SINGH GREWAL, J.

The petitioners, who are Advocates of this Court have preferred this petition in public interest for directing the respondents to, *inter alia*, pay the profits/margins of sales of price of paddy, particularly, Basmati.

2. The petitioners are stated to be public spirited persons, who had earlier also taken up public causes. Petitioner No.2 had earlier filed CWP No.15741 of 2011 for issuance of directions to the Department of Transport in the States of Punjab, Haryana and U.T., Chandigarh not to allow non-passenger vehicles to transport passengers, which was allowed on 17.08.2012.

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Petitioners No.1 and 2 had also filed CWP No.11751 of 2015 for direction to respondents to tackle suicides by farmers and farm labourers, which was disposed of on 23.07.2015, with a direction to the Chief Secretary, Government of Punjab to look into the issues raised in the petition and take remedial measures, in accordance with law.

3. It is stated in the petition that in the recent paddy procurement season, the price of various varieties of paddy, especially Basmati was very low. The arrival of the paddy crop in the market started in September 2015, but the procurement price was declared only on 01.10.2015 which resulted in farmers selling the crops at a lower price than the minimum support price.

4. In the reply filed by the respondents, the steps taken by the procurement agencies for procuring paddy have been set out.

5. This petition had been filed in the year 2015 and highlights the problems faced by the farmers during the paddy season of 2015. Two more crops had arrived in the market in the years 2016 and 2017. The paddy season for the year 2018 is yet to commence. We are, therefore, of the considered view that for the paddy seasons, which are over, it would be difficult for this Court to issue any direction to the respondents. If the petitioners anticipate that the farmers would face difficulties in the paddy season this year, which commences around September, they can raise the same with the respondents and in the event of

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respondents not taking any action, the petitioners would be at liberty to approach this Court again.

6. The petition stands disposed of accordingly.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

03.05.2018

SwarnjitS

Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO