

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.23837 of 2018
Date of Decision:18.09.2018

The Kalra Cooperative Agriculture Multipurpose Service Society Ltd.

. Petitioner

Vs.

State of Punjab and another

. Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.M.S. Kang, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J.

This petition is directed against the *show cause notice* dated 30.01.2013. Otherwise, the order dated 22.12.2016 is the summoning order, passed by the Chief Judicial Magistrate, Jalandhar, issued against the accused, mentioned in the complaint, for having committed the offence punishable under Sections 3(K)(i), 17, 18, 29 & 33 of the Insecticides Act, 1968 [for short 'the Act'] and the Insecticides Rules, 1971 [for short 'the Rules'] and the order dated 22.12.2017 is a notice of charge issued by the Chief Judicial Magistrate, Jalandhar in the complaint in which the petitioner has been summoned.

De hors the issue involved, the writ petition is filed to challenge the *show cause notice* dated 30.01.2013 in September 2018 i.e., after the expiry of more than five years, which is highly belated and suffers from delay and latches. Therefore, there is no reason to interfere in this petition for quashing the *show cause notice* dated 30.01.2013. Insofar as the orders dated 22.12.2016 & 22.12.2017 are concerned, these are passed by the Chief

Judicial Magistrate, Jalandhar while dealing with a complaint, filed against the petitioner under the Act, against which the petitioner has the appropriate separate remedy under the law and these orders cannot be challenged in the writ jurisdiction.

In view of the above, the present petition is hereby dismissed.

18.09.2018

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking /reasoned : *Yes/No*

Whether Reportable : *Yes/No*