

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

**CWP No.8476 of 2019
Date of Decision :02.04.2019**

M/s Anish Enterprises

.....Petitioner

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Ish Puneet Singh, Advocate for the petitioner.
Mr. Avinit Avasthi, AAG, Punjab.

KRISHNA MURARI, CHIEF JUSTICE (Oral):

A preliminary objection with respect to the maintainability of the writ petition has been raised by learned counsel appearing for the State of Punjab on the ground of existence of alternative remedy of filing an appeal, under Clause-14 of the Policy for Transportation of Food Grains (Year 2019-20), before the Competent Authority, i.e. the Director Food, Civil Supplies and Consumer Affairs Punjab, as defined in Clause 2b of the said policy.

Learned counsel appearing for the petitioner could not dispute the proposition. Since the dispute involves adjudication of factual dispute as well, we are also of the opinion that it would be appropriate to relegate the petitioner to avail the alternative remedy available to him under the policy.

From the pleadings we find that petitioner has already availed

the remedy by making a representation dated 25.03.2019 before the competent authority namely the Director, Department of Food, Civil Supplies and Consumer Affairs. Considering the entire facts and circumstances we hereby dispose of the writ petition by directing respondent No.2 to take appropriate decision on the representation dated 25.03.2019 made by the petitioner by a reasoned and speaking order after notice and opportunity of hearing to all the stakeholders within a period of two weeks from today.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

02.04.2019

Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No