

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-32843-2019

Date of Decision:-13.11.2019.

M/s Guru Rice Mills and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Daman Dhir, Advocate
Ms. Raman Dhir, Advocate for the petitioners

SANJAY KUMAR, J. (Oral)

The grievance of the petitioners in this case is that the Punjab Custom Milling Policy for Paddy (Kharif 2019-20) is not being implemented in true letter and spirit in the context of purchase, distribution, allocation and storage of paddy. The petitioner-rice mills already submitted representation dated 24.10.2019 (Annexure P-3) followed by legal notice dated 01.11.2019 (Annexure P-4) but they complain of inaction by the State authorities concerned, despite receipt of the same.

Perusal of subject Milling Policy policy reflects that an alternative Dispute Resolution Mechanism is contemplated under Clause 24 thereof. In the light of the efficacious alternative remedy provided to the petitioner-rice mills in relation to the said policy, this Court is of the opinion that no independent adjudication on merits is warranted in this case.

Reference in this regard may be made to the judgments of this Court passed

in **M.V. Rice Mills and others Vs. State of Punjab and others (CWP-31652-2019)** decided on 06.11.2019 and **Chinu Goyal and others Vs. State of Punjab and others (CWP-31586-2019)** decided on 05.11.2019.

For reasons alike as were mentioned in the aforesaid decisions and in terms thereof, this writ petition is disposed of directing respondent No.2, The Director, Food, Civil Supplies and Consumer Affairs, Government of Punjab, to treat the representation dated 24.10.2019 (Annexure P-3) and the legal notice dated 01.11.2019 (Annexure P-4) submitted by the petitioners as an appeal in relation to the alleged inaction on the part of the District Administration in not giving effect to the policy in the correct perspective. Respondent No.2 shall consider the matter on its own merits and afford an opportunity of personal hearing to two authorized representatives to be nominated by the petitioner-rice mills and pass a reasoned order. This exercise shall be completed expeditiously and in any event, not later than two days from the date of receipt of a certified copy of this order.

The petitioner-rice mills are permitted to file a copy of this writ petition before the second respondent. Thereupon, the second respondent shall also consider additional issues, if any, raised in this writ petition while taking a decision on the representation and legal notice (Annexures P-3 and P-4, respectively) already submitted by the petitioners.

No order as to costs.

(SANJAY KUMAR)
JUDGE

November 13, 2019.

sandeep

Whether speaking/reasoned:-

Yes

Whether Reportable:-

Yes / No.