

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-33657-2019

Date of Decision:-20.11.2019.

Guru Nank Rice & Agro Products

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Gautam Singla, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Ms. Deepali Puri, Advocate for respondent Nos.4 and 6.

SANJAY KUMAR, J. (Oral)

The grievance of the petitioner is that paddy is not being distributed equally amongst all the mills under the Gidderbaha Purchase Centre in terms of the Punjab Custom Milling Policy for Paddy (Kharif 2019-20) (for short, 'the policy'). According to the petitioner, only 44.4% of paddy has been stored with it till 11.11.2019, while excess paddy was stored with other mills.

Perusal of the policy reflects that an effective alternative dispute resolution mechanism is provided under Clause 24 thereof. This Court had occasion to consider this clause and opined that not only positive action, in the form of an order passed by the District Allotment Committee,

but also inaction on the part of the said Committee would be amenable to

the appellate remedy before the Director, Food Civil Supplies and Consumer Affairs, Punjab. As it is the case of the petitioner that despite taking a decision as to the allocation of paddy, the District Allotment Committee in question is not giving effect to it in true letter and spirit, it would be open to the petitioner to file an appeal before the appellate authority complaining of inaction on the part of the Committee in implementing the policy properly.

Leaving it open to the petitioner to do so, this writ petition is disposed of.

In the event the petitioner files any appeal, the same shall be considered on its own merits expeditiously and in any event, not later than one week from the date of filing of an appeal by the petitioner.

No order as to costs.

(SANJAY KUMAR)
JUDGE

November 20, 2019.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.