

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-34790-2019

Date of Decision:-29.11.2019.

M/s Sidhu Rice Mills

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Daman Dhir, Advocate for the petitioner.

SANJAY KUMAR, J. (Oral)

Ms. Suman Devi, learned counsel representing Ms. Deepali Puri, Advocate, entered appearance on behalf of respondent No.5 and filed her memorandum of appearance. The same is taken on record.

The grievance of the petitioner-rice mill in this case is that the Punjab Custom Milling Policy for Paddy (Kharif 2019-20) is not being implemented in true letter and spirit. The petitioner-rice mill made representation dated 8.11.2019 (Annexure P-4) followed by legal notice dated 15.11.2019 (Annexure P-6) in this regard. It presently complains of inaction thereon.

Perusal of the subject Milling 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 mill 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 aforestated 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 8.11.2019 (Annexure P-4) and the legal notice dated 15.11.2019 (Annexure P-6) submitted by the petitioner-rice mill as an appeal in relation to the alleged inaction on the part of the District Administration in 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 the authorized representative of the petitioner-rice mill 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 mill is 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-4 and P-6 respectively) already submitted by the petitioner.

No order as to costs.

(SANJAY KUMAR)
JUDGE

November 29, 2019.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.