

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.36815 of 2019 (O&M)

Date of Decision: 23.12.2019

M/s Shivam Rice Mills

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Daman Dhir, Advocate for the petitioner

Mr. Sahil Sharma, DAG Punjab

GIRISH AGNIHOTRI, J. (Oral)

(1) The present petition has been filed by the petitioner, namely, M/s Shivam Rice Mills, *inter alia*, praying for issuance of a writ in the nature of *certiorari* to quash the order dated 09.12.2019 (P4). His primary prayer is that the paddy ordered to be shifted, be not shifted.

(2) On 18.12.2019, while issuing notice of motion, this Court passed the following order:-

“Learned counsel for the petitioner has submitted that there is urgency in the matter since in pursuance to the order 09.12.2019, the paddy stored in his premises is being shifted by the respondents. He submits that this is being done despite the fact that he had filed an appeal before the Appellate Authority challenging the said order and the appeal had been heard and the order was reserved.

Notice of motion.

On the asking of the Court, Mr. Navdeep Chhabra, DAG, Punjab accepts notice on behalf of the respondents and prays for time to get instructions in the matter.

Adjourned to 23.12.2019.

The parties are directed to maintain status quo regarding the shifting of paddy from the premises of the petitioner, till the next date of hearing.

18.12.2019
(SUVIR SEHGAL)
JUDGE”

(3) Today on resumed hearing, Mr. Sahil Sharma, DAG Punjab appears for all the respondents. It has been brought to the notice to this Court that on Friday i.e. on 20.12.2019, the 1st Appellate Authority has decided the appeal.

(4) Learned counsel for the petitioner further submits that on 22.12.2019, further appeal to be submitted before the 2nd Appellate Authority has been prepared. It is then submitted that the said appeal has been presented on 23.12.2019 before the 2nd Appellate Authority.

(5) On the asking of the Court, learned counsel for the State, on instructions from Mr. Puneet Joshi, Inspector, Food & Supply, submits that in order to settle the equity, till the decision/further orders by the 2nd Appellate Authority, *status quo* as directed by this Court will be maintained.

(6) Accordingly, the writ petition is disposed of and it is directed that *status quo* as directed by this Court vide order dated 18.12.2019 shall continue to be maintained till the decision/further orders by the 2nd Appellate Authority.

(7) Ordered accordingly.

23.12.2019
Vvishal

(Girish Agnihotri)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No