

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(204)

CWP-17859-2020 (O&M)

Date of Decision: November 10, 2020

M/s Shri Krishna Rice Mills

.. Petitioner

Versus

State of Punjab and others

.. Respondents

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ferry Sofat, Advocate, for the petitioner.

Ms. Monica Chibber Sharma, Sr. DAG, Punjab.

Ms. Deepali Puri Sandhu, Advocate, for respondents No. 5 & 7.

HARSIMRAN SINGH SETHI, J.(ORAL)

CM-11829-CWP-2020

Present application has been filed for placing on record

Reminder-I sent to respondents No. 4 and 5 as Annexure P-10.

Keeping in view the averments made in the application, the same is allowed and Reminder-I as Annexure P-10 is permitted to be taken on record.

CWP-17859-2020

Present petition has been filed for setting aside the show cause notice dated 23.10.2020 (Annexure P-9), which has been issued to the petitioner by respondent No.5 for cancellation of the allotment of paddy to the petitioner-Mill.

Learned counsel for the petitioner argues that the show cause notice, which has been issued to the petitioner is on the basis of the

incorrect facts and the petitioner has already filed the reply dated 24.10.2020 (Annexure P-10) bringing to the notice of the competent authority the relevant facts and the explanation of the petitioner in respect of the allegation mentioned in the show cause notice.

Learned counsel for the petitioner agrees that no order causing prejudice to the petitioner, in respect of the impugned show cause notice, has been passed so far.

Learned counsel for the petitioner submits that due to the pendency of the show cause notice even the allotment of paddy to the petitioner-Mill has been kept in abeyance by the respondents-authority.

Ms. Deepali Puri Sandhu, Advocate, appearing on behalf of respondents No. 5 and 7 submits that appropriate orders on the show cause notice impugned before this Court, keeping in view the reply submitted by the petitioner-Mill, will be passed by the authorities concerned within a period of 10 days from today and the same will be conveyed to the petitioner for his information and appropriate action. Learned counsel appearing on behalf of respondents No. 5 and 7 further submits that after the appropriate orders on the show cause notice dated 23.10.2020 (Annexure P-9) is passed by the authorities, the claim of the petitioner for the allotment of paddy, keeping in view the facts and circumstances, as they exist, thus will be considered and appropriate orders in respect of the said claim will also be passed within a period of 10 days thereafter.

Keeping in view the above, especially when no order, causing prejudice to the petitioner, has been passed by the authorities so far, the present writ petition is disposed of with a direction to respondent No.5 to pass appropriate orders on the show cause notice dated 23.10.2020

(Annexure P-9) within a period of 10 days from today. It is made clear that the explanation, which the petitioner has given in his reply dated 24.10.2020, will be kept in mind while passing the appropriate orders on the show cause notice. It is further directed that after the order on show cause notice dated 23.10.2020 (Annexure P-9) is passed by the authorities, the claim of the petitioner for allotment of paddy will also be considered by the respondents keeping in view the facts and circumstances that exist on the said date and appropriate speaking order will be passed in that regard as well within a period of 10 days thereafter.

In case, the petitioner is found entitled for the allotment of paddy, appropriate action will be taken in that regard by respondent No.5 and in case, the petitioner is not found entitled for, the reasons for the same by passing appropriate speaking order will be conveyed to the petitioner for his information and necessary action.

Present petition is disposed of in above terms.

(HARSIMRAN SINGH SETHI)
JUDGE

November 10, 2020
harsha

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