

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 19744 of 2020

Date of Decision: November 19, 2020

M/s/ Vishnu Sales Corporation, Kurali

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Daman Dhir, Advocate
for the petitioner

Sudhir Mittal, J. (Oral)

The petitioner is an allottee of custom milling paddy. It is aggrieved because allotment has been cancelled vide order dated 06.11.2020 and the firm has been blacklisted. This order has been passed by the District Allotment Committee.

According to Clause 24(c) of the Punjab Custom Milling Policy for Kharif 2020-2021, an appeal lies from orders passed by the District Allotment Committee. Such an appeal has admittedly been filed. However, the same is not being taken up for preliminary hearing nor the stay application is being decided.

Another argument has been raised on behalf of the petitioner i.e. the competence of the District Allotment Committee to pass an order of blacklisting.

Clause 24(c) aforementioned provides an appeal against any order passed by the District Allotment Committee. Thus, if according to the petitioner the order of blacklisting is without jurisdiction, the issue can be raised in appeal.

Accordingly, the writ petition is not maintainable at this stage. The same is disposed of with a direction respondent No. 2 to take up the appeal for

preliminary hearing within 7 days from the date of receipt of certified copy of this order and to decide the stay application within this period.

Meanwhile, the stocks be not shifted.

November 19, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No