

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-17863-2020

Date of decision: 27.01.2021

M/s Om Rice Mills

.....Petitioner.

vs.

State of Punjab and others

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Surinder Garg, Advocate, for the petitioner.

Mr. T.P.S. Chawla, Deputy Advocate General, Punjab.

Mr. H.S. Randhawa, Advocate, for respondent No. 3.

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Sanjay Kumar, J. (ORAL)

The petitioner-Rice Mill seeks to assail the order dated 23.10.2020 passed by the Director, Food Civil Supplies and Consumer Affairs, Punjab, in relation to certain grievances ventilated by it with regard to allotment of paddy. This order was passed by the Director pursuant to the order dated 16.10.2020 in CWP-17439-2020 filed by the petitioner before this Court.

It may however be noted that as per Clause 24 (c) of the Punjab Custom Milling Policy for Kharif 2020-2021, a first appeal would lie from the order passed by the District Allotment Committee, relating to any clause of the Policy, before the Director, Food and Supplies, and a second appeal would lie therefrom before the Principal Secretary, Food and Supplies Department, Government of Punjab.

As the petitioner invited a decision from the Director by way of a direction in the earlier round of litigation before this Court, the impugned order dated 23.10.2020 is liable to be treated as an appellate order which would be amenable to further appellate review by way of a second appeal before the Principal Secretary, Food and Supplies Department, Government of Punjab.

In that view of the matter, the writ petition is disposed of permitting the petitioner to file a second appeal before the Principal Secretary, Food and Supplies Department, Government of Punjab, in terms of the aforestated Clause 24 (c) of the Policy.

In the event such an appeal is presented within one week from today, the Principal Secretary, Food and Supplies Department, Government of Punjab, shall entertain the same without reference to delay, if any, on the part of the petitioner, and adjudicate the said appeal on merits and in accordance with the law expeditiously.

No order as to costs.

(SANJAY KUMAR)
JUDGE

27.01.2021

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no