

108.

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

CWP-13407-2022

Date of Decision: 04.07.2022

M/S GOYAL RICE AND GENERAL MILLS PVT. LTD. AND OTHERS
.... Petitioners

Versus

STATE OF PUNJAB AND OTHERS Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Daman Dhir, Advocate,
for the petitioners.

JAISHREE THAKUR.J (Oral)

The instant writ petition has been filed by nine Rice Millers with a prayer for issuance of an appropriate writ or direction, especially in the nature of Certiorari, for quashing the action of the respondents in storing of paddy with certain Rice Millers in violation of clause 12 of the Custom Milling Policy for the Kharif year 2021-22.

Mr. Daman Dhir, learned counsel appearing on behalf of the petitioners would contend that as per policy in question, a proportionate distribution and storage of paddy is to be maintained, which has been violated herein. One of the prayers made in the writ petition is for fixing responsibility of the Inspectors/AFSO/DFSO/DFSC for violating the terms

besides the prayer for issuance of a writ in the nature of Mandamus directing the respondents to shift the excess paddy stored in particular Rice Mills and to allocate the excess paddy to the petitioners therein for storage/milling.

I have heard learned counsel for the petitioners and have perused the pleadings of the case and not inclined to allow all the reliefs as claimed in the writ petition considering the fact that the paddy was stored/allocated to some millers (who have not been made party to the present writ petition), as far back as in November, 2021. The grievance of the petitioners could have been redressed in case they had approached the court at the relevant time. As far as the relief sought for allocation of paddy, which has not been allocated, the petitioners have a remedy of approaching the concerned authorities under clause 11(c) of the Custom Milling Policy.

Faced with this, learned counsel for the petitioners limits his prayer for fixing the responsibility of those officials who have violated clause 12 of the Custom Milling Policy and for allocation of paddy (in proportion) which has not been allocated so far.

Notice of motion.

At this stage, Ms. Deepali Puri, Additional Advocate General, Punjab, who is present in the Court, accepts notice on behalf of respondents and submits that this issue will be looked into expeditiously.

Let this writ petition itself be treated as a representation and respondent No.4 would look into the two issues raised i.e. fixing of responsibility of those officials who may have violated clause 12 of the Custom Milling Policy and for allocation of paddy for storage/milling and

take an appropriate decision thereon. The petitioners would be at liberty to file an appeal against the said decision in terms of clause 11(c) of the said policy.

The present petition stands disposed of in the above terms.

Let an appropriate decision be taken within a period of three weeks from the date of receipt of certified copy of this order.

(JAISHREE THAKUR)
JUDGE

04.07.2022

sanjeev

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No