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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-22623-2020 (O&M)
Date of decision: 01.06.2022

RADHEY GOPAL RICE MILLS PATRAN

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Mr. Pawan Sharda, Sr. DAG, Punjab.

Mr. Aman Sharma, Advocate
for respondent Nos. 6 and 7.

JAISHREE THAKUR, J. (Oral)

The present writ petition instituted in the year 2020 sought a direction to be issued to the respondents particularly respondent Nos.1 to 5, to strictly adhere to the clauses of the Punjab Custom Milling Policy for Kharif 2020-21 (Annexure P-1).

Learned counsel for the petitioner herein would contend that the petitioner-Mill was supposed to be allocated paddy in terms of clause 12(b) of the policy for Kharif 2020-21. As per Annexure P-2 i.e. linkage statement of rice mills, the petitioner-Mill was proposed to be allocated 3116 metric ton of paddy as per the policy, however after the proposed cut, the allocation was only of 1790 metric ton, which was in clear violation of the Custom Milling Policy for Kharif 2020-21.

Pursuant to notice of motion having been issued, a short reply has been filed on behalf of respondent Nos.1 to 5 stating that the allocation

had been increased from 1790 metric ton to 3500 metric ton and, therefore, learned State counsel would submit that the grievance of the petitioner-Mill does not survive.

Learned counsel for the petitioner would submit that the petitioner-Mill has suffered a loss since the additional paddy was never allotted to it despite recommendation and it should be allotted extra paddy to cover up the shortfall, in the coming Kharif season 2022-23.

I have heard learned counsel for the parties.

I find that it would not be possible for this Court to ask the respondents to allot the petitioner-Mill the shortfall of paddy for the Kharif season that he has claimed in the instant writ petition considering the fact that much water has flown under the bridge since then and paddy season for 2020-21 has since come to an end. Even the subsequent season of 2021-22 has also passed. There is no doubt about the fact that the petitioner-Mill was allotted a shortfall of paddy amounting to 1326 metric ton and, therefore, in case the petitioner-Mill represents to the Director, Department of Food, Civil Supplies & Consumer Affairs, Government of Punjab for making good the shortfall that had occurred to him as stated in the writ petition, the same will be considered sympathetically while allotting it paddy for the season 2022-23.

The present writ petition stands disposed of accordingly.

01.06.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No