

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

CWP No.23848 of 2021

Date of Decision.05.12.2022

M/s Modern Rice Mill

...Petitioner

Vs

State of Punjab and others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Ms. Deepali Puri, Addl. A.G., Punjab.

-. -

JAISHREE THAKUR J. (ORAL)

This writ petition has been filed by the petitioner-mill seeking to challenge the action of respondents in violating clauses of the Punjab Custom Milling Policy for Kharif 2021-2022 (for short CMP).

Learned counsel appearing for the petitioner herein would contend that allocation of paddy and storage along with linkage of mandis has been done in violation of Clause 11 of the CMP, which reads to the effect that DAC shall make all efforts while linking mandis in such a way so as to reduce the expenditure on transportation of paddy to a bare minimum. Centres/mandis shall be linked with the nearest milling centre/storage keeping in view the availability of milling capacity at the milling/storage centre(s) at which paddy is proposed to be stored/milled. It is submitted that the petitioner mill has been ordered to be linked with Goniana mandi, which is at a distance of 11.3 kms whereas Jeeda mandi, District Bathinda is at a distance of 2.4 kms. It is submitted that in case petitioner had been linked with Jeeda mandi, there would have been allotted adequate paddy to the

petitioner-mill as per its milling capacity, which was not done with its linkage to Guniana mandi.

Learned counsel appearing on behalf of the respondent-State would submit that the matter with regard to linkage of the petitioner-mill with Jeeda mandi was examined and it was found that alternative shortest route as claimed by the petitioner was not a paved route, which is disputed. Apart from the said contention, it is submitted that entire procurement season is over and therefore, question of linkage of the petitioner-mill with the mandi claimed is mere academic.

I have heard learned counsel for the parties and on perusal of pleadings, found that the kharif season 2021-2022 is over and therefore, whether the petitioner-mill ought to have been linked with Jeeda mandi as claimed by it, is irrelevant. Least to say, in case the petitioner-mill has grievance with linkage of mandi in any subsequent years, it would be at liberty to challenge the said linkage.

The writ petition stands disposed of with above observations.

(JAISHREE THAKUR)
JUDGE

December 05, 2022

Pankaj*

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No