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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-31827-2019
Date of decision: 12.07.2022

VIJAY KUMAR @ VIJAY KUMAR BATISH

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ramandeep, Advocate
for the petitioner.

Ms. Deepali Puri, Addl. A. G., Punjab
for respondent Nos.1 to 3.

JAISHREE THAKUR, J. (Oral)

The instant writ petition has been filed seeking a writ, order or direction in the nature of mandamus to be issued to the respondents to pay milling charges, which stood approved by the Inspector Pungrain, Samana on 06.08.2019 (Annexure P-1) as well as the transportation charges in view of the sanction order dated 22.08.2019 (Annexure P-2) issued by the Food Corporation of India, District Office, Patiala.

During the course of hearing, learned counsel for respondents has contended that the dues of the petitioner herein had been withheld on the ground that M/s Manav Rice Mill, Talwandi Malik, Samana was a defaulter of Pungrain agency and by virtue of Clause 2(k) of the Custom Milling Policy 2018-19, the petitioner being family member of the owner of defaulting firm would not be entitled to the release of the said milling/transportation charges.

In terms of order dated 28.04.2022 passed in this case, the petitioner herein had been permitted to present himself before the District Allotment Committee (DAC) so as to establish that he could not be visited with the rigors of Clause 2(k) of the Custom Milling Police 2018-19.

Ms. Deepali Puri, Addl. A. G., Punjab, appearing on behalf of the respondent Nos.1 to 3 would submit that pursuant to order dated 28.04.2022, the petitioner herein appeared before the District Allotment Committee (DAC) and established that he had no blood relationship with Smt. Karamdeep Kaur, who is proprietor of M/s Manav Rice Mill, Talwandi Malik, Samana. On being satisfied by all the documents produced, the District Allotment Committee (DAC) came to the conclusion that the petitioner does not fall within the category of family as per Clause 2(k) of the Custom Milling Police 2018-19 and has accordingly decided to release the transportation and milling charges and the property of M/s Guru Nanak Rice Mill, Talwandi Malik has also been ordered to be de-attached. An attested copy of the speaking order passed by the District Allotment Committee (DAC), Patiala is taken on record along with the photocopy of cheque for a sum of Rs.2,47,125/- made out in the name of M/s Guru Nanak Dev Rice Mills.

In view of the above developments, the matter having been settled, the instant writ petition does not survive and the same is accordingly dismissed as infructuous.

(JAISHREE THAKUR)
JUDGE

12.07.2022
Chetan Thakur

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