

103.

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

CWP-28319-2022

Date of Decision: 08.12.2022

M/S SHIV SHAKTI RICE MILLS

.... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Manish Kumar Singla, Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to comply with the Punjab Custom Milling Policy for kharif 2022-23, Annexure P-1, with respect to storage and allotment of paddy, and further issue direction to respondent No.2 to make inquiry regarding the storage and allocation of paddy by respondents No.8 and 9.

The grievance of the petitioner-Mill is that despite having a capacity to mill 2 tonnes of paddy, the petitioner-Mill has not been allocated paddy as per the said capacity. It is also contended that the persons with the milling capacity of 1 ton have been allocated much more beyond what is permissible.

Counsel appearing on behalf of the petitioner herein would submit that in this respect, the petitioner has approached the authorities concerned number of times by way of legal notice and applications

(Annexures P-2 to P-4), but no action has been taken thereon till date. He would pray that at this stage, the petitioner would be satisfied in case the very writ petition itself is treated as a representation and a speaking order is passed thereon.

Notice of motion.

At this stage, Ms. Deepali Puri, Additional Advocate General, Punjab, who is present in Court, accepts notice on behalf of respondents.

Let adequate number of copies of the paper book be supplied to her during the course of the day.

Without commenting on merits of the case and keeping in view the limited prayer made by counsel appearing on behalf of the petitioner, the instant petition is disposed of with a direction that the instant writ petition itself shall be treated as a representation on behalf of the petitioner and the claim of the petitioner would be decided by respondent No.2 by passing a speaking order within a period of one week, from the date of receipt of certified copy of this order, in accordance with law, and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

08.12.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No