

CWP-17299-2020 (O&M)

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

201

CWP-17299-2020 (O&M)

Date of Decision: 01.09.2023

M/s R.V. Rice Mills

...Petitioner

**Versus**

State of Punjab and Others

...Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

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

Mr. Deepanjay Sharma, DAG, Punjab

Ms. Deepali Puri, Advocate for respondent No.4-MARKFED

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**JAGMOHAN BANSAL, J. (Oral)**

1. Mr. Sapan Dhir, learned counsel for the petitioner is supporting his petition on the basis of order dated 30.11.2018 (Annexure P-14) passed by Additional Civil Judge (Senior Division), Dhuri whereby it has been held that documents of surety were forged.

2. Learned counsels for the respondents submit that petitioner filed CWP No.397 of 2013 before this Court seeking allotment of paddy for KMS 2012-13. This Court, vide detailed order dated 10.12.2013 (Annexure P-11) dismissed the writ petition observing that the petitioner was guarantor for its lessee M/s T.S. Agro Dhuri, thus, petitioner is responsible for the consequences. The petitioner filed review application

which came to be dismissed. Thereafter, the petitioner filed intra court appeal bearing LPA No.1225 of 2014 assailing judgment of learned Single Judge. The said LPA came to be dismissed vide order dated 08.08.2014 (Annexure P-13) passed by Division Bench of this Court. Learned Additional Civil Judge, Dhuri has passed order without noticing findings recorded by learned Single Judge as well as learned Division Bench of this Court, thus, case of the petitioner cannot be considered till adjudication of appeal by the Appellate Court i.e. Additional District Judge, Sangrur.

3. In view of peculiar facts and circumstances of the case and to put the litigation to rest, learned Additional District Judge, Sangrur is hereby requested to decide appeal of the respondent within two months from today. The petitioner, after adjudication of appeal, would be at liberty to avail remedy as permissible by law including remedy to file writ for allotment of paddy, if appeal is decided in its favour.

(JAGMOHAN BANSAL)  
JUDGE

01.09.2023  
Mohit Kumar

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |