

In the High Court of Punjab and Haryana at Chandigarh

105

2023:PHHC:094732

CWP-15892 of 2023

Date of Decision: 26.07.2023

M/s Udey Rice and Agro Mill

---Petitioner

versus

State of Punjab and others

---Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Daman Dhir, Advocate and
Ms. Poonam Rani, Advocate, for the petitioner
Ms. Deepali Puri, Addl. A.G., Punjab
Mr. Gaurav Sharma, Advocate, for respondent No. 8

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through the instant petition under Article 226 of the Constitution of India is seeking setting aside of order dated 06.06.2023 (Annexure P-15) passed by respondent No. 1, order dated 24.03.2023 (Annexure P-12) passed by respondent No. 2 and order dated 10.02.2023 (Annexure P-11) passed by respondent No. 3 whereby claim of the petitioner for equal distribution of paddy in ratio and proportion has been declined.

2. The petitioner is having milling capacity of 3 M.T. and it has been allocated 79653 bags of paddy as per milling policy for Kharif Season 2022-23. The unit of the petitioner was allocated to Punjab State Civil Supplies Corporation-respondent No. 5 (in short "PUNSUP") which has purchased lesser quantity of paddy, resultantly, petitioner was allocated lesser quantity than allocated quantity.

3. Learned counsel for the petitioner inter alia contends that

PUNSUP has discriminated with the petitioner while allocating paddy. The PUNSUP indubitably purchased lesser quantity, however, discriminated with the petitioner qua other rice mills. The petitioner has preferred appeal against the action of the authorities which came to be dismissed by the appellate authority vide order dated 10.05.2023 (Annexure P-15).

4. Ms. Deepali Puri, Addl. A.G.Punjab, submits that paddy season 2022-23 is over, thus, there is no question of further allocation of paddy to the petitioner.

5. This Court, in view of expiry of Kharif Marketing Season 2022-23, finds it appropriate to dispose of the present petition, without commenting upon merits of the case, however, directs District Allotment Committee and other procuring agencies to allocate paddy in future, in proportionate to allotment where lesser quantity of paddy is available.

6. Petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

26.07.2023

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Whether speaking/reasoned : Yes

Whether reportable : Yes/No