

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

CWP-21842-2023

Date of Decision:28.09.2023

M/S MAA BHAGWATI RICE MILLS

..... Petitioner

*Versus*

STATE OF PUNJAB AND OTHERS

..... Respondents

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

Present : Mr. Manoj Kumar, Partner of  
M/s Maa Bhagwati Rice Mill in person.

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

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of order dated 21.09.2023 (Annexure P-4) whereby petitioner has been debarred from the allotment of Paddy for KMS 2023-24.

2. The petitioner who is present in Court in person submits that petitioner was debarred from allotment of paddy alongwith another Rice Mill i.e. M/s Guru Kirpa Rice Mills and Agro Industries.

3. This Court vide order dated 25.09.2023 passed in **CWP No.21480 of 2023** has directed the respondent to allot paddy for KMS 2023-24.

4. The order dated 25.09.2023 passed by this Court in **M/s Guru Kirpa Rice Mills and Agro Industries Vs. State of Punjab and others** is reproduced as below:

*“5. From the perusal of record, it comes out that the respondent has passed impugned order without issuing show cause notice as well as granting opportunity of personal hearing. The act of respondent amounts to violation of principles of natural justice and it is settled proposition of law that violation of principles of natural justice is one of the grounds to entertain writ petition.*

*The act of respondent further amounts to violation of fundamental rights of the petitioner gauranteed by Articles 14, 19(1)(g) and 21 of the Constitution of India. The impugned order is directly going to affect livelihood not only of the petitioner but also of workers who are dependent upon the petitioner mill.*

*6. As the impugned order has been passed without granting opportunity of hearing and in violation of principles of natural justice, this Court is of the considered opinion that present petition deserves to be allowed and accordingly allowed. The impugned order is hereby set aside. The respondents are directed to pass fresh order after granting opportunity of personal hearing. The needful shall be done by 29.09.2023. 7. It is made clear that in the meantime, the eligibility of the petitioner for allotment would be considered and it would be subject to fresh order passed by District Allotment Committee.”*

5. By a common order M/s Guru Kirpa Rice Mills & Agro Industries and petitioners were debarred.

5. In view of order dated 25.09.2023 passed by this Court in **M/s Guru Kirpa Rice Mills and Agro Industries** (supra), the present petition deserves to be allowed.

6. The present petition is allowed in the same terms as order passed by this Court in **M/s Guru Kirpa Rice Mills and Agro Industries** (supra).

( JAGMOHAN BANSAL )  
JUDGE

28.09.2023  
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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |