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

**CWP-29152-2022 (O&M)
Date of Decision: 17.02.2023**

M/s A.K. Rice Mills

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Harsh Goyal, Advocate for the petitioner.

Ms. Lavanya Paul, DAG, Punjab.

Ms. Deepali Puri, Advocate
for respondent Nos.5, 6 & 7-Pungrain.

Mr. Gaurav Sharma, Advocate for respondent No.7

JASGURPREET SINGH PURI, J. (ORAL)

The present writ petition has been filed under Article 226 of the Constitution of India for issuance of an appropriate writ especially in the nature of *certiorari/mandamus* for quashing the action of the respondents in violating the Clauses of 'The Punjab Custom Milling Policy for Kharif 2022-23' issued on 02.08.2022 (Annexure P-1) especially Clause 13: Storage of Paddy at the premises of Mill for the purpose of purchase, allocation, distribution and storage of paddy to the petitioner; the action impugned is unreasonable, unwarranted and discriminatory, thus the same deserves to be struck down.

Mr. Harsh Goyal, learned counsel appearing for the petitioner-Mill at the outset has submitted that in pursuance of the order passed by this Court on 23.01.2023, the District Allotment Committee which was the alternate remedy available to the petitioner, has already decided the

representation/complaint of the petitioner. He further submitted that against the aforesaid order, the petitioner has already filed an appeal to the Director, Food, Civil Supplies and Consumer Affairs, Punjab. He also submitted that his limited prayer may be considered that the Director, Food, Civil Supplies and Consumer Affairs, Punjab be directed to decide his appeal within a time bound manner, since the subject matter of the case pertains to Crop Year of 2022-23 and there is a likelihood that the entire subject matter might get extinguish due to efflux of time.

On the other hand, Ms. Lavanaya Paul, learned DAG, Punjab , who is appearing on behalf of respondent Nos.1 & 2 submitted that she has no objection that in case time bound direction is issued to the Director, Food, Civil Supplies and Consumer Affairs, Punjab

In view of the aforesaid factual position whereby the learned counsel for the petitioner has confined the prayer only to the extent of seeking directions to the Director, Food, Civil Supplies and Consumer Affairs, Punjab to decide the appeal within a time bound framework, it will be in the interest of justice considering the factual position that the Crop Year of 2022-23 has already started and it is about to be over that the Director, Food, Civil Supplies and Consumer Affairs, Punjab should decide the appeal at the earliest.

Consequently, the present petition is disposed of with a direction to respondent No.2 to consider and decide the appeal, if any, filed by the petitioner within a period of three weeks from today.

17.02.2023*Bhumika***(JASGURPREET SINGH PURI)****JUDGE**

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |