



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CWP-737-2024

Date of decision:25.09.2024

M/S GURU NANAK RICE MILLS

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present : Mr. Daman Dhir, Advocate
for the petitioner.

Mr. S.S. Hira, DAG, Punjab.

ALOK JAIN. J.(Oral)

1. The present petition has been filed *inter alia* praying for issuance of a writ in the nature of certiorari, seeking quashing of the order dated 19.09.2023 (Annexure P-3) whereby the allotment to the petitioner for the crop year 2023-2024 was cancelled on the ground that the Petitioner's firm fall within the definition of defaulter and subsequently passed the orders dated 12.10.2023 (Annexure P-6) and 12.12.2023 (Annexure P-10) by which the appeal filed by the petitioner has been rejected.

2. At the very outset, Ld. Counsel for the petitioner submits that the eligibility of the petitioner has been declined on the strength of the fact that Karan Jindal son of one of the partner of petitioner's firm namely Sanjiv Kumar; and Poonam Jindal wife of one of the partner of petitioner's firm namely Parveen Kumar, were partners in a firm i.e. Onkar Rice Mill, which has been blacklisted and the petitioner was dislodged for entitlement of any allocation for the KMS 2023-2024.

3. Learned counsel for the respondent-State submits that the orders are absolutely legal and valid as the position on the date of passing of the impugned order dated 19.09.2023, with respect to the relationship/ties with the interested family members, was still there and the same were considered.
4. Heard counsel for the parties and without expressing any opinion on the merits of the case, since as now there is cogent proof available with the petitioner’s firm with regard to the severing ties of partners of petitioner-firm with the interested family members related to the defaulter firm, the petitioner is hereby directed to file a fresh application in terms of the new policy for KMS 2024-2025 within 01 week from today and the same shall be considered by the Director of Food Supplies, within 15 days by affording an opportunity of hearing to the petitioner.
5. It is also clarified that the authorities concerned shall take a fresh decision without being influenced by the earlier order, which was passed in the given set of circumstances at that point of time and shall consider the subsequent events and pass a fresh order accordingly.
6. Needless to say that the authorities concerned shall consider all the grounds taken by the petitioner, including certain observations made in the order dated 06.09.2023 (Annexure P-5) and shall pass a well reasoned order by giving a finding on every ground raised by the petitioner.
7. In view of the above, the present petition is disposed of.

25.09.2024
amandeep

(ALOK JAIN)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No