



CWP-29571-2024

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

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Date of decision:29.10.2024

M/S GANDHI RICE MILLS

...PETITIONER

VS.

STATE OF PUNJAB AND ORS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

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

Mr. Brijesh, AAG, Punjab.

SUVIR SEHGAL J. (ORAL)

1. By way of present writ petition filed under Article 226 of the Constitution of India, petitioner has approached this Court *inter alia* for issuance of a writ in the nature of certiorari for quashing the action of the respondents, whereby petitioner's claim for allotment of paddy for custom milling pertaining to kharif marketing season 2024-25 is not being considered.

2. Counsel for the petitioner submits that the petitioner is running a rice shelling mill and has been allotted paddy over the years. A dispute arose for the season 2012-13 and the petitioner approached this Court by filing a writ petition, which was disposed of vide order dated 11.03.2019, Annexure P-7, whereby the petitioner was relegated to the



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remedy before an Arbitrator. Counsel submits that LPA preferred by the petitioner was dismissed by this Court on 24.05.2022, Annexure P-8. He submits that the arbitral proceedings culminated in passing of an award dated 19.12.2023, Annexure P-13 against the petitioner, who has filed objections under Section 34 of the Arbitration and Conciliation Act, 1996, (for short “the Arbitration Act”) alongwith an application under Section 36(2) of the Arbitration Act, which is being adjourned as is evident from orders, Annexures P-15 to P-17. Counsel submits that at this stage he is confining his prayer to a direction to the learned Additional District Judge, Chandigarh, to decide the application under Section 36(2), *ibid*, as the respondents are treating the award, Annexure P-13, as an impediment in the allocation of paddy for the season 2024-25. The request made by counsel for the petitioner seems to be reasonable and deserves to be accepted.

3. Accordingly, writ petition is disposed of. Learned Additional District Judge, Chandigarh, shall make an endeavour to decide the application filed by the petitioner under Section 36(2) of the Arbitration Act, within a period of four weeks from the date of communication of a copy of this order, by preponing its hearing.

29.10.2024
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No