



113 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-34237-2024

Date of decision : 18.12.2024

Mini Goyal

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

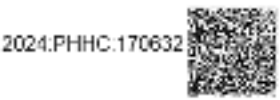
Present: Mr. Sushant Kareer, Advocate
for the petitioner.

ANIL KSHETARPAL, J. (Oral)

1. The family dispute has led to filing of this writ petition. The petitioner prays for issuance of writ in the nature of certiorari to quash allotment of paddy for dehusking to respondents No. 4, 5 and 6.

2. The State of Punjab through its instrumentalities purchase paddy and hand over the same to the private Rice Millers for dehusking. For that purpose, a Custom Milling Policy is issued and adopted by the State every year. Respondent No. 4 is a Rice Mill, whereas, respondents No. 5 and 6 are connected with the Mill. In fact, respondent No.5 is shown to be proprietor of respondent No.4-Mill. The petitioner claims that she is the owner of 1/3rd share of land on which the Rice Mill has been constructed. The Civil Suit filed by her for grant of injunction was pending for 16.12.2024. Now, the petitioner has filed the writ petition claiming that allocation of paddy for dehusking is in violation of Clause H of the policy, which reads as under:-

“The mill premises and the miller should be free from litigation/legal dispute which attaches to the title,



ownership, or possession of the mill premises of the miller.”

3. This aspect is required to be examined by the instrumentalities of the State. While exercising jurisdiction under Article 226 of the Constitution of India, the Court is not expected to decide disputed questions of fact, particularly, when the petitioner has already filed a civil suit, which was stated to be pending for 16.12.2024.
4. Hence, the petition is dismissed.
5. All the pending miscellaneous applications, if any, are also disposed of.

18.12.2024
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(ANIL KSHETARPAL)
JUDGE

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