



CWP-9919-2025

-1-

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

(109)

CWP-9919-2025

Date of decision:- 17.11.2025

Kaloty & Company**... Petitioner****Versus****The Punjab State Cooperative Supply & Marketing Federation Limited
and others****... Respondents****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Gauravjit Singh Patwalia, Advocate
for the petitioner.

Mr. A.P.S.Mann, Advocate (THROUGH V.C.)
for respondents.

SUVIR SEHGAL, J. (ORAL)

1. This petition has been filed, *inter alia*, for issuance of a writ, in the nature of certiorari, for quashing order dated 10.01.2025, Annexure P-10, whereby a deduction of Rs.1,83,206/- has been made from the payment to be realized by the petitioner on account of shortage of paddy supplies for Kharif Marketing Season 2024-25 and additionally an amount of Rs.2,665/- has been deducted on account of another shortfall.

2. The primary argument of counsel for the petitioner is that impugned order has been passed in breach of doctrine of *audi alteram partem* as the petitioner has not been provided with any opportunity of hearing.

3. In response to notice issued by this Court, a short reply has been filed on behalf of MARKFED-respondents, wherein it has been submitted as under:-



CWP-9919-2025

-2-

“10. That another assertion of the petitioner is that he has not been heard before deductions were made in the present case. On account of this, it is stated that the principles of natural justice have been violated. Here it is reiterated that Respondent no.3 informed petitioner M/s Kaloty and Company from time to time vide his letters no.403 dated:03.12.2024, no.408 dated:17.12.2024 and no.415 dated:23.12.2024 and also provided truck wise details of shortage of paddy received from petitioner's firm. Thus the documentary evidence in this case is self speaking about the short supplies made by the petitioner, yet it is submitted that the respondents are willing to pass a fresh order in the matter after hearing the petitioner. Consequently, it is prayed that in case the petitioner does not wish to avail the option a rehearing in the matter by District Manager Markfed Hoshiarpur, then the petitioner may be relegated to pursue his remedies before the Civil Courts at Hoshiarpur.”

4. A very fair stand has been taken by the respondents.
5. In view of the aforesaid stand, impugned order, Annexure P-10, is set aside. Competent authority is directed to pass a fresh order, after providing the petitioner with an opportunity of personal hearing, within a period of two months from the date of communication of a copy of this order.
6. Writ petition is disposed of.
7. In case, any adverse order is passed against the petitioner, liberty is granted to him to take recourse to the remedy available to him under the law.

(SUVIR SEHGAL)
JUDGE

17.11.2025
Kamal

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