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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-33447-2025 (O&M)
Date of decision: 11.11.2025

M/s Mahadev Rice Mills

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Siddharth Gupta, Advocate
for the petitioner.

Mr. Nirmaljit Singh Diwana, Sr. DAG, Punjab.

HARSH BUNGER, J. (ORAL)

This petition has been filed under Articles 226/227 of the Constitution of India, *inter alia*, seeking issuance of a writ in the nature of Mandamus for directing the respondents to implement the Punjab Custom Milling Policy for Kharif 2025-26 (Annexure P-1) in its true letter and spirit, by ensuring equal distribution of paddy amongst the millers linked with different food procurement agencies, in terms of Clause 13(b) of the said Policy.

1.1 A further prayer has been made for directing the respondents to ensure equal distribution of paddy amongst the millers attached with Food Procurement Agency i.e. PUNGRAIN by making four rounds of 40%, 20%, 20% and 20% each in compliance to Clause 13(b) of Punjab Custom Milling Policy for Kharif 2025-26.



2. Briefly, the petitioner-mill-M/s Mahadev Rice Mills, situated at Village Haraj, Tehsil Talwandi Bhai, District Ferozepur, is engaged in the business of custom milling of paddy. For the Kharif Marketing Season 2025-26, the petitioner's rice mill was linked with Government Food Procurement Agency (PUNGRAIN) and attached with several procurement centres namely (PR)/Mandi(s) Wada Bhaika Grain Market (1721 MT), Ferozshah Grain Market (538 MT), Ghalkhurd Grain Market (691 MT), Talwandi Bhai Grain Market (273 MT), and Rodhewala Grain Market (300 MT).

2.1 It is averred that an agreement for the purpose of milling of paddy for the Kharif Season 2025–26 was executed between the petitioner and respondent No.1, and that the petitioner has been found entitled to an allocation of 3,773 MT of paddy, equivalent to 1,00,613 bags.

2.2 It is the grievance of the petitioner that, as on 28.10.2025, only 5,600 bags of paddy had been stored in its premises against its total entitlement, whereas other rice mills linked with the same procurement centre had already received more than 40% of their allocated quantity. According to the petitioner, this is in clear violation of Clause 13(b) of the Punjab Custom Milling Policy, 2025–26, which mandates equitable and round-wise allocation of paddy among all eligible rice mills within a milling centre in the ratio of 40:20:20:20. The petitioner asserts that despite submitting several representations and issuing a legal notice dated 29.10.2025 (Annexure P-2), followed by an appeal dated 02.11.2025 (Annexure P-3), no action has been taken by the concerned authorities to redress its grievance.

3. Learned counsel for the petitioner contends that Clause 13(b) of the Punjab Custom Milling Policy, 2025–26 mandates equitable distribution of



paddy among all eligible and allotted rice mills within a milling centre, and the failure of the respondents to ensure the same is arbitrary and discriminatory. It is contended that uneven distribution of paddy not only affects the petitioner's business but also results in under-utilization of capacity of petitioner's Mill. It is submitted that despite repeated representations, no remedial steps have been taken by the authorities and the petitioner's mill continues to suffer on account of the official's failure to ensure parity among all eligible millers.

4. Per contra, learned State counsel has opposed the submissions of learned counsel for the petitioner. It is submitted that the petitioner has no vested or enforceable right to claim procurement or allocation of paddy from any particular mandi or purchase centre. It is further submitted that allocation and distribution of paddy are administrative functions, which are governed strictly by policy provisions. It is next submitted that as per Clause 10 of the Punjab Custom Milling Policy, 2025–26, the allocation of paddy is within the discretion/domain of the Department and does not confer any right upon a miller for allocation of a particular quantity of paddy. Accordingly, prayer for dismissal of writ petition is made.

5. Heard.

6. Here it would be apposite to refer to the relevant provisions of Clause 10 of the Punjab Custom Milling Policy for Kharif 2025–26 (Annexure P-1), which reads thus:

***“Clause 10. ALLOCATION OF PADDY TO ELIGIBLE
RICE MILL(S)***

a. General



i. Allotment of a mill and allocation of paddy is at the sole discretion of DAC; a miller cannot claim this as a matter of right.

ii. As paddy is to be allocated to the miller subject to its availability with the procurement agencies at that particular milling center, the shortfall, if any, will not be arranged from other milling centers or districts as a matter of right.

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d. No vested/legal right: It is made categorically clear that in applying the mechanism of allocation of paddy under this Clause:

i. The quantity of paddy that may be allocated to a given miller represents the maximum permissible allocable quantity of paddy to such miller. The above Clauses are merely an arithmetical aid to such determination of such maximum permissible allocable quantity of paddy, to such miller, and do not confer any right to a miller for allocation of such or any other quantity of paddy.

ii. In no case, paddy in excess of maximum permissible allocable quantity of paddy, (as per above clauses) shall be allocated to any of the mill, even if there is an excess arrival of paddy at that milling center except in conditions set out in Clause 15 a.

iii. No miller can claim allocation of paddy from any particular mandi. It is the prerogative of the Department to decide as to which mandi is to be linked with a mill keeping in view the equitable distribution and minimal transportation cost.”

7. From a bare reading of the above clauses, it is clear that the allocation of paddy under the Punjab Custom Milling Policy is a purely administrative function. The millers have no enforceable or vested right to seek allotment of a particular quantity of paddy or to demand allotment from any



particular mandi. The object of the Custom Milling Policy is to ensure efficient and timely procurement and milling of paddy across the State.

8. That apart, learned counsel for the petitioner has failed to substantiate his plea that other rice mills linked with same procurement centre had already received more than 40% of their allocated quantity; by referring to any document/material. Thus, petitioner has not been able to establish any *mala fides*, arbitrariness, discrimination or violation of any statutory duty on part of the respondents, which may warrant interference by this Court under Article 226/227 of the Constitution of India.

9. Upon considering the totality of circumstances, I find no merit in this petition and the same is, accordingly, dismissed.

10. All pending applications, if any, shall stand closed.

11.11.2025
Himani

(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No