

2025:PHHC:160977



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

CWP-33793-2025 (O&M)
Date of decision :18.11.2025

M/S AMAR RICE MILLS

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Ajay Kumar Kansal, Advocate
for the petitioner.

Mr. Nirmaljit Singh Diwana, Sr. D.A.G., Punjab.

Mr. T.S. Sidhu, Advocate
for respondents No.3 to 7.

HARSH BUNGER, J. [ORAL]

CM-17231-CWP-2025

This is an application for placing on record the additional affidavit of the petitioner as well as Annexures P-8 and P-9.

For the reasons recorded in the application, the same is allowed. The additional affidavit of the petitioner as well as Annexures P-8 and P-9, are taken on record subject to all just exceptions.

CWP-33793-2025 (O&M)

Prayer in the present writ petition, filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *mandamus*, directing the respondents to implement the provisions of Punjab Custom Milling Policy for Kharif 2025-26 (Annexure P-1) and also

to ensure equal distribution of free paddy amongst all the rice mills situated at Milling Center, Village Bakshiwala, District Patiala.

2. It is stated that the petitioner's rice mill is having capacity of 2 Metric Tonne (M.T.) and as such, was allocated 60,000 bags of paddy to be supplied by PUNGRAIN (35,000 bags from Bakshiwala Mandi and 25,000 bags from Patiala Mandi. It is further stated that the petitioner's Mill started receiving paddy on 14.10.2025 and till the filing of the writ petition, the petitioner had received a total of 18428 bags.

2.1 The primary grievance of the petitioner is that there are three other mills at the same milling center namely, A.R. Rice Mills, Shri Krishna Agro Foods and Mahadev Ago Foods, who have received more amount of paddy as compared to the petitioner's Mill and therefore, there is uneven distribution of paddy, which is in violation of the provisions of the Custom Milling Policy (Annexure P-1).

3. At this stage, Mr. T.S. Sidhu, Advocate appears on behalf of respondents No.3 to 7 and has raised a preliminary objection that the petitioner has not approached this Court with clean hands as he has concealed a material fact that during the course of inspection of the Mill, it was found that one wall of the petitioner's Sheller had collapsed and the petitioner was issued a notice dated 28.10.2025, calling upon him to get the collapsed wall repaired so as to prevent any financial loss on account of theft of grain. It is stated that the afore-said notice was issued to the petitioner keeping in view Clause 6 of the Agreement entered into between the petitioner and PUNGRAIN, which provided that the Miller shall be responsible for the safe custody of the paddy stocks (both quantity) till the delivery of rice. It is contended that on account of the afore-said reason, to

ensure safety of the paddy; the disbursement of paddy to the petitioner's sheller was stopped for the time being.

3.1 It is next submitted that the petitioner had responded to the afore-said notice dated 28.10.2025 by way of his reply dated 30.10.2025 wherein, in para No.2 thereof, the following averment was made :-

“2. That the repair of the wall is almost complete and the same may be inspected by your office after 6:00 p.m. today as final touch is given to same and storage of paddy may kindly be started.”

4. Learned counsel for respondents No.3 to 7 further submits that subsequently, the supply of paddy to the petitioner's mill has been restored. In support of the afore-said stand, learned counsel for respondents No.3 to 7 has handed over copies of the notice dated 28.10.2025; reply dated 30.10.2025 submitted by the petitioner to the said notice along with gate pass(es) issued in the name of the petitioner, which are taken on record subject to all just exceptions and a copy thereof, has been handed over to the learned counsel for the petitioner.

5. Learned counsel for the petitioner was unable to dispute the afore-mentioned facts.

6. Keeping in view the above, apparently there has been concealment of material fact as regards the reason for stoppage of paddy to the petitioner's Mill, which was concededly on account of collapsing of wall of the petitioner's sheller; which may have resulted in unequal distribution of paddy to the petitioner's Mill viz-a-viz the other three Mills.

6.1 Be that as it may, since the disbursement of paddy to the petitioner's Mill has already been restored, as would be apparent from the gate passes; I see no other reason which may warrant interference by this

Court. Resultantly, the instant writ petition fails and the same is, accordingly, dismissed.

7. All pending applications (if any) shall also stand closed.

November 18, 2025
gurpreet

(HARSH BUNGER)
JUDGE

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