

103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-37837-2025 (O/M)
Date of decision : 22.12.2025

M/s New Kissan Rice Mill Petitioner

Versus

State of Haryana and others Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. R.S. Mamli, Advocate
for the petitioner.

Ms. Upasana Dhawan, AAG Haryana.

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HARSH BUNGER, J. (ORAL)

1. Prayer in this civil writ petition filed under Articles 226/227 of Constitution of India, inter alia, is for issuance of a writ in the nature of mandamus for directing respondents not to auction rice mill of the petitioner and further to allow the petitioner to return deficient rice to the department.

2. Briefly, petitioner is a rice Mill, which had entered into an agreement with respondent-Department of Food and Supplies, Haryana (in short 'respondent-department') for milling of paddy. It is stated that respondent-department had given 119735 bags (44900.625 quintal) of paddy, for which the petitioner-Mill was required to return 67 per cent rice i.e 30083.42 quintal.

2.1 As per petitioner-Mill's case, it has returned 23490 quintal rice and 6629.94 quintal rice was left to be supplied by petitioner-Mill.

2.2 It transpires that petitioner-Mill had kept some of paddy in its village godown and thereafter, a raid was conducted, wherein deficiency in the rice was found and consequently, a case FIR No. 0158, dated 25.10.2025, under Sections 316(2), 318(4) of BNS (Annexure P-2) was lodged at Police Station Jagadhri Sadar, District Yamuna Nagar.

2.3 Thereafter, respondent-department issued a notice dated 30.09.2025 (Annexure P-3), calling upon the petitioner-Mill to deposit an amount of Rs. 2,96,02,567/- to respondent-department, failing which, legal proceedings were to be initiated as per milling policy.

2.4 Apparently, petitioner-Mill did not deposit the above referred amount and accordingly, proceedings were initiated to auction the property of petitioner-Mill.

3. In the aforementioned circumstances, petitioner-Mill has filed the instant civil writ petition before this Court for seeking relief(s), as noticed hereinabove.

4. Heard.

5. During the course of hearing of this writ petition, a specific query was put to learned counsel for petitioner-Mill that as to whether petitioner-Mill has laid any challenge to recovery proceedings/amount, sought to be recovered from petitioner-Mill and in response to same, it has been categorically stated by learned counsel for petitioner that petitioner-Mill has neither disputed the amount sought to be recovered from it nor it has laid any challenge to recovery proceedings either independently or in this writ petition.

5.1 Learned counsel for petitioner was further asked as to whether petitioner-Mill would be ready and willing to deposit the amount, sought to be recovered from it in three installments, spread over six months; however, he expressed inability of petitioner-Mill to follow the said course.

6. Considering the fact that petitioner-Mill has neither challenged or disputed the amount sought to be recovered from it either by invoking arbitration proceedings, in terms of Clause 35 of Milling Policy for Kharif Marketing Season-2024-25 (Annexure P-1) or in this writ petition and further that petitioner-Mill has expressed its unwillingness to return the amount, sought to be recovered from it in three installments, spread over six months, I see no compelling reason, which may warrant interference by this Court in the present proceedings.

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

8. Pending application (s), if any, shall also stand closed.

(HARSH BUNGER)
JUDGE

22.12.2025
sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No