



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-6855-2026 (O&M)
Date of decision: 09.03.2026

Sham Lal and another

....Petitioners

Versus

Punjab State Civil Supplies Corporation Limited (PUNSUP)

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Ayushi, Advocate
for Mr. Padamkant Dwivedi, Advocate
for the petitioners.

Mr. Avikaran Bansal, Advocate
for the respondent.

HARPREET SINGH BRAR J. (Oral)

1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* seeking quashing of the instructions dated 26.10.2004 (Annexure P-1), whereby norms for realization of excess (storage gain) due to moisture content on account of wheat stocks stored in godowns/open plinths were fixed and for quashing the impugned show cause notices dated 21.11.2024 (Annexures P-2 and P-3, respectively) issued by the respondent on account of less storage gain due to moisture content during crop year 2016-17 at PUNSUP Center Baghapurana, District Moga.



2. Learned counsel for the petitioners, *inter alia*, contends that show cause notices were issued to the petitioners for the year 2016-17 alleging financial loss to the respondent/Corporation on account of less storage gain of wheat crop. The said notices have been issued after an inordinate and unexplained delay and are purportedly based upon Instructions dated 26.10.2004 (Annexure P-1), which prescribe arbitrary norms for storage gain without any scientific basis. The issue of storage gain has already been conclusively examined by this Court in **CWP-27725-2013**, titled as ***Punjab State Warehousing Corporation Field Employees Union vs Union of India and others***, decided on **14.05.2025** (Annexure P-4), and the case of the petitioners is squarely covered by the ratio of law laid down therein. She further submits that the Instructions dated 26.10.2004 (Annexure P-1) stand superseded by subsequent Instructions dated 30.05.2022, however, the respondent is still relying upon the superseded instructions, rendering the impugned action of the respondent as arbitrary and unsustainable in law.

3. Learned counsel for the petitioners further relies upon the order passed by this Court in **CWP-37599-2025** and connected matters, titled as ***Sachin Kumar and others vs Punjab State Civil Supplies Corporation Limited (PUNSUP)***, decided on **22.12.2025** in which charge-sheets were quashed and set-aside and the respondents therein were granted liberty to issue fresh charge-sheet in terms of ***Punjab State Warehousing Corporation Field Employees Union's case (supra)***.



4. *Per contra*, learned counsel for the respondent could not controvert the fact that the entire disciplinary proceedings initiated against the petitioners are based upon the Instructions dated 26.10.2004 regarding storage which fix arbitrary norms for storage gain without any scientific basis and also could not controvert the judgment relied upon by the petitioners in ***Punjab State Warehousing Corporation Field Employees Union’s case (supra)***.

5. In view of the above, without commenting upon the merits of the case, the present petition is allowed and the impugned show cause notices dated 21.11.2024 (Annexures P-2 and P-3, respectively) issued by the respondent is hereby quashed and set-aside. However, the respondent would be at liberty to issue a fresh show-cause notice/charge-sheet against the petitioners in terms of ***Punjab State Warehousing Corporation Field Employees Union’s case (supra)***.

6. Pending miscellaneous application(s), if any, shall also stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

09.03.2026
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No