

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201-A

CWP No.19635 of 2020
Decided on : 02.03.2021

Kharar Rice Mills

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Daman Dhir, Advocate
for the petitioner.

Ms. Lavanya Paul, AAG, Punjab.

(The proceedings are being conducted through video
conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

It is not disputed that challenge in the present writ petition filed under Article 226 of the Constitution of India is to the order dated 06.11.2020 and the grouse of the petitioner was that an appeal was filed against the cancellation of the allotment, which was pending before respondent No.2-Director, Department of Food, Civil Supplies and Consumer Affairs, Government of Punjab and was not being decided.

The said appeal has now been decided in favour of the petitioner on 01.01.2021. Relevant portion of the said order reads as under:-

“In view of the facts and circumstances mentioned above, I, Anindita Mitra, IAS, Director, Food, Civil Supplies and Consumer Affairs, Punjab after detailed examination of the facts of the case and by using the powers conferred to me by virtue of “**The Punjab Custom Milling Policy for Paddy (Kharif 2020-21)**” issued vide this Department's letter No.RP-1 (1300)-2020/2452 Dated

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26.08.2020, of the considered opinion that the DAC, SAS Nagar has not given an opportunity of personal hearing to the appellant miller and cancelled the allotment and further blacklisted the appellant mill for three years without examining the documents and bills to be submitted by the miller for violating of clause 16 (b) and clause 9 of the Custom Milling Policy KMS 2020-21. Thus, the order of DAC, SAS Nagar dated 06.11.2020 is hereby set aside and the appeal filed by M/s Kharar Rice Mills, Kharar, District SAS, Nagar is disposed off.”

Keeping in view the above, since the appeal itself has been decided in favour of the petitioner, the present writ petition has been rendered infructuous and is disposed off accordingly.

MARCH 02, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No