
(2020) 07 J&K CK 0095

In the Jammu And Kashmir High Court

Case No : Writ Petition (C) No. 1097 Of 2020, Civil Miscellaneous No. 3055,
3056 Of 2020

M/s Surya Roller Flour Mills

APPELLANT

Vs

Union Territory Of J&K And Others

RESPONDENT

Date of Decision : 02-07-2020

Acts Referred:

Citation : (2020) 07 J&K CK 0095

Hon'ble Judges : Tashi Rabstan, J

Bench : Single Bench

Advocate : Deepali Arora

Final Decision : Disposed Off

Judgement

Tashi Rabstan, J

1. Petitioner-firm is a small scale industrial unit, viz., Flour Mill duly registered with the District Industries Centre, Jammu, engaged in the business of grinding wheat to Atta, Maida, Suji and Bran, having its capacity of 184320 quintals per annum grinding of wheat.

2. The grievance projected in the petition is that other similarly situated Flour Mills, whether they are eligible or not in terms of the rules, are given contracts of wheat grinding under Public Distribution System (PDS) and that too without issuing tenders, but the petitioner is denied of the same. It is submitted by learned counsel for the petitioner that petitioner has approached the respondents-authorities number of times to grant the contract of wheat grinding in his favour but the request made was not acceded to, by the respondents-authorities. This inaction on the part of the respondents-authorities forced the petitioner to knock portals of this Court by filing present writ petition on the basis of grounds set out in it.

3. At this stage, learned counsel for the petitioner submits at the Bar that the petitioner would feel satisfied, in case this petition is, disposed of, by directing

the respondents to consider the representation already submitted before them for release of quota of wheat grinding under PDS, within certain timeframe, on the analogy it was sanctioned in favour of other similarly situated Flour Mills. Her statement is taken on record.

4. Since the prayer made by the petitioner is very innocuous, therefore, instead of keeping this petition as pending consideration before this Court, it would be appropriate to dispose of the same. Accordingly, this petition is, disposed of, by directing that the respondents-authorities shall consider and decide the representation, contended to have already been filed with them, strictly under rules and policy in vogue. Let the respondents consider the prayer of the petitioner for allotting contract of grinding wheat and pass appropriate orders on the analogy of similarly situated Flour Mills who were granted contracts, within a period of four weeks from the date certified copy of this order is made available to them by the petitioner. Needless to state that this court has not expressed any opinion on the merits of the case.

5. Disposed of as above along with connected applications.