

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CWP-5645-2021(O&M)
Decided on : 18.06.2021

ADANI WILMAR LIMITED AND ANOTHER

. . . Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)

Present: Mr.Ashish Prasad, Mr.Rohit Sharma, Mr. Asheesh Gupta,
Mr.Ishan, Mr. Rohit Chandel, Mr.Abhinav Sood, Mr. Pruthi
Dhinoja, Mr. Jubin Mehta, Advocates for the petitioners.

Mr. Gaurav Garg Dhuriwala, Sr. DAG Punjab.

Mr. Saigeeta Srivastva for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The farmer's agitation across the country against the farm laws has thrown up an extraordinary situation, and more so in the States of Punjab and Haryana. It is not simply a law and order problem, and Courts are battling to reconcile the competing rights and interests of all the stakeholders. The petitioner-Company in the instant case has *inter alia* prayed for the issuance of a writ in the nature of *Mandamus* for a direction to the State authorities/respondents to ensure that free movement of food-grains etc., is not hindered from and to its facility at Ferozepur.

Various affidavits/status reports (dated 30.03.2021, 27.05.2021, 04.06.2021, 10.06.2021) had been filed on behalf of the State of Punjab, underlining the steps undertaken to resolve the impasse, in an effort to

ensure that while the Constitutional Rights of the petitioner-firm are not defeated, the situation on the ground does not get out of hand.

This Court has no doubt in its mind that as stated in the aforementioned affidavits/status reports filed by the State of Punjab, the State is doing its best to ensure that the law takes its own course and no untoward incident happens. As noticed earlier, this is not simply a law and order problem but is an extraordinary situation requiring an extraordinary response.

During the course of hearing, learned counsel appearing for the State indicated that the State is also open to the idea of involving some senior officials of the State of Punjab to find a way forward, as they too would like to see an early end to the stalemate, since they were conscious of the fact that any further delay would result in damaging the food-grains, which were lying stored in the facility of the petitioner firm.

It will, therefore, be in the fitness of things that a Committee be constituted headed by Principal Secretary Home, Government of Punjab, including Additional Director General of Police, Law & Order Punjab, Deputy Commissioner, Ferozepur, Senior Superintendent of Police, Ferozepur amongst other officers to find a way forward to put an end to the piquant situation. All the parties concerned will have to think out of the box and let appropriate steps be taken expeditiously to prevent further loss/wastage of about eight thousand metric tonnes of food-grains lying stored in the facility of the petitioner's firm at Ferozepur, which a country like India can ill afford. Since, the learned counsel for the petitioner-firm has also submitted that on account of the approaching monsoon season, they are likely to incur heavy losses and damage to the food-grains lying stored

in their facility, it is expected and hoped that all efforts would be made by the quarters concerned in the spirit of “*malice towards none with charity for all*” to borrow from Abraham Lincoln.

Ordered accordingly, in the above terms.

(MANJARI NEHRU KAUL)
JUDGE

June 18, 2021

S.Sharma(syr)

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No



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