

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

WP(C) No. 573 of 2025

M/S Martha Enterprises through its proprietor namely Marth Panmei, aged about 48 years, W/o Laishram Shitalkumar Singh, a resident of Moirangkhom Sougaijam Leikai, P.O. & P.S. Imphal, Imphal West District, Manipur – 795001.

... Petitioner

-Versus-

1. The State of Manipur represented by the Additional Chief Secretary/ Principal Secretary/ Commissioner/ Secretary (Consumer Affairs Food & Public Distribution), Government of Manipur, Secretariat Block, P.O. & P.S. Imphal, Imphal West District, Manipur – 795001.
2. The Director of Consumer Affairs, Food & Public Distribution, Government of Manipur, Sangaiprou, P.O. & P.S. Imphal, Imphal West District, Manipur – 795140.

... Respondents

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

For the petitioner	:: Mr. H.S. Paonam, Sr. Advocate asstd. by Ms. Malemleima, Advocate
For the respondents	:: Mrs. L. Monomala, GA
Date of hearing & order	:: 18-05-2026

O R D E R

[1] Heard Mr. H.S. Paonam, learned senior counsel assisted by Ms. Malemleima, learned counsel appearing for the petitioner and Mrs. L. Monomala, learned GA appearing for the respondents.

[2] It is the case of the petitioner that the Under Secretary, Consumer Affairs, Food & Public Distribution Department, Government of Manipur, issued an order dated 31-03-2021 appointing the present petitioner as the Transport Contractor for Transportation of PDS Rice and Sugar from FSD (FCI/ CAF & PD), Sangaiprou, Imphal to Tamenglong Assembly Constituency.

[3] Pursuant to the said order, the petitioner started execution of the transportation work and have completed the same without any complaint from any quarter. Thereafter, upon completion of the transportation work, the petitioner submitted a bill to the competent authority amounting to Rs. 35,12,679/- (Rupees thirty-five lakh twelve thousand six hundred and seventy-nine) and the Director of Consumer Affairs, Food & Public Distribution, Government of Manipur (respondent No. 2), forwarded the same to the Commissioner (CAF & PD), Government of Manipur, under cover of a letter dated 13-06-2024 with a request to obtain expenditure sanction from the competent authority.

It is also the case of the petitioner that the respondent No. 2 also forwarded another bill amounting to Rs. 5,09,634/- (Rupees five lakh nine thousand six hundred and thirty-four) to the Commissioner, CAF & PD, Government of Manipur, under cover of another letter dated 13-06-2024 with a request to obtain expenditure sanction from the competent authority.

[4] Mr. H.S. Paonam, learned senior counsel submitted that there is no dispute whatsoever about the contract work being executed by the petitioner and the bills submitted by him to the authorities for execution of the transportation contract works. When the authorities failed to release the bill amount due payable to the petitioner, the petitioner approached this court by filing the present writ petition with the prayer for directing the authorities to pay the entitled undisputed bill to the petitioner.

[5] In the affidavit-in-opposition filed on behalf of the respondents, the respondents have not denied either about the execution of the contract work by the petitioner or about the bills submitted by the petitioner for execution of the said contract work. The respondents have only taken the stand that they have already requested the Ministry of Consumer Affairs, Food & Public Distribution, Government of India, to release the Central Assistance under NAFSA for the Financial Year, 2023-2024 and PMGKAY for the Financial Year 2022-2023 and that the respondents will be able to release the bill amount due payable to the petitioner as soon as the Central Assistance is provided from the Ministry.

[6] The relevant paras of the affidavit-in-opposition filed on behalf of the respondents are reproduced hereunder for ready reference:-

“3. That, with reference to Para No. 2 of the Writ Petition, it is humbly submitted that upon receiving the transportation

bills of the Petitioner from the Directorate of Consumer Affairs, Food & Public Distribution, Manipur vide letters No. 6/PMGKAYTML/ 2020-DCAF&PD and 1/PMGKAY-NNY/2020-DCA&PD dated 24-06-2024, the Administrative Department proceeded to mete out the request. However, at present, the Department could not concede the requests due to non-availability of fund for PMGKAY Scheme.

True and correct copies of the letters dated 24-06-2024 are enclosed herewith and are marked as Annexure-C/1 and Annexure-C/2.”

“3.1 It is pertinent to mention here that the transportation cost for PMGKAY Scheme is 100% borne by the Centre and the bill is claimed only after transportation for PMGKAY food grains has been done.”

“3.2 That, it is also humbly submitted that consequently, Ministry of Consumer Affairs, Food & Public Distribution, Government of India has been requested to release pending Central Assistance under NFSA for the Financial Year 2023-24 and PMGKAY for the Financial Year 2022-23 vide letter No. NFSA-102/2/2023-CAFANDPD-CAF&PD dated 06-06-2025 of the Secretary (CAF & PD), Government of Manipur. That, the State Respondents would be able to release the fund as soon as the Central Assistance is provided from the Ministry.

A true and correct copy of the letter dated 06-06-2025 is enclosed herewith and is marked as ANNEXURE-C/3.”

[7] Considering the submissions advanced by the learned counsel appearing for the parties and on perusal of the record, this court is of the considered view that there is no dispute with regard to the contract work being executed by the petitioner and the bill amount due payable to the petitioner for execution of the said contract work. The stand taken by the respondents is that there is no sufficient

amount for payment of the bills submitted by the petitioner and that the bill amount due payable to the petitioner will be released as soon as the respondents received the Central Assistance from the Central Ministry.

[8] In view of the such undisputed fact, this court is of the considered view that the present writ petition can be disposed of by directing the respondents to release the aforesaid bill amount due payable to the petitioner as soon as the Central Assistance is provided by the Ministry of Consumer Affairs, Food & Public Distribution, Government of India.

With the aforesaid direction, the present writ petition is disposed of.

JUDGE

Devananda