

Sr.No.236

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

CWP-831-2014(O&M)

Decided on: **14.12.2015**

M/s Mahadev Rice Mills and others

.....Petitioners

vs.

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr. Justice Mahesh Grover

Present: Mr.J.P.S.Sidhu, Advocate for the petitioners.
Mr.Anant Kataria, DAG, Punjab.
Mr. Deepak Sabharwal, Advocate for respondent no.3.
Mr. Ankit Aggarwal, Advocate
for Mr. Anupam Singla, Advocate
Mr. Manav Bajaj, Advocate
for Mr. Sumeet Goel, Advocate for respondent-FCI.
Mr. Ajay Pal Singh, Advocate
for Mr. Anil Kumar Sharma, Advocate

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Mahesh Grover, J

In the present petition the petitioners pray for refund of the security.

To appreciate the facts it is not disputed that the controversy would largely be covered by the ratio of a single Bench judgment rendered in CWP-28324-2013 titled M/s Kisan Rice Mills V. State of Punjab and others, decided on 11.08.2014 which, however, was subjected to Letters Patent Appeal No. 1551 of 2014 where the following order was passed:-

“ CM Nos. 3469 & 70 of 2014

The applications are allowed, as prayed for.

CM-3471-2014

The prayer in this application is for modification of the order dated 17.09.2014 whereby the letters patent appeal preferred by PUNSUP was disposed of.

Learned counsel for PUNSUP, who is present in court, states that out of balance 26 consignments, 8 have

since been received from the respondent-rice mill.

In this view of the matter, let the security amount deposited by the respondent-rice mill in the year 2012-2013 proportionate to the 8 consignments or if any more delivered by the respondent-rice mill may be refunded immediately.

CM stands disposed of.

Let a copy of this order be given dasti to learned counsel for the parties under the signatures of Bench Secretary.”

Ms. Deepali Puri learned counsel for PUNSUP in other cases states that infact the security has been refunded to all the writ petitioners.

It only indicates that the rice millers who have delivered the consignment to the State agencies would be entitled to refund of the security..

Be that as it may, I would deem it appropriate to dispose of the instant writ petition with similar directions as contained in LPA No. 1551 of 2014 detailed above.

14.12.2015
mamta

(MAHESH GROVER)
JUDGE