

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-12448-2016

Date of decision: 21.07.2016

Ashwani Kumar and others

..... Petitioners

Versus

The Food and Supplies Department, Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL  
HON'BLE MR. JUSTICE RAMENDRA JAIN**

**PRESENT:** Mr. Anurag Chopra, Advocate for the petitioners.

Mr. Anil Kumar Yadav, Addl. A.G., Haryana.

Mr. Lekh Raj Sharma, Advocate for respondent No. 2.

**AJAY KUMAR MITTAL, J. (ORAL)**

1. Reply on behalf of respondent No. 1 filed in Court today, is taken on record. A copy thereof has been handed over to learned counsel for the petitioners.

2. The petitioners have approached this Court under Articles 226/227 of the Constitution of India, seeking a direction to the respondents to comply with the directions contained in letter dated 26.03.2014 (Annexure P-3) issued by Government of India alongwith compliance of letter dated 16.03.2015 (Annexures P-4) issued by Food Corporation of India, Haryana in furtherance of notice inviting tenders Annexure P-1.

3. The perusal of narration of the facts shows that this Court

vide order dated 23.05.2016 (Annexure P-10) passed in CWP-10195-2016 filed by the petitioners, directed the respondents to take decision on the petitioners' representations dated 10.04.2016, 25.04.2016 and 10.05.2016 by 31.05.2016.

4. It is not disputed that in pursuance thereof, vide order dated 30.05.2016 (Annexure P-11) all the representations submitted by the petitioners therein were rejected and ordered to be filed.

5. Learned counsel for the petitioners submits that inadvertently challenge could not be laid to the order dated 30.05.2016 (Annexure P-11) in the instant writ petition and prays that he may be allowed to withdraw the present writ petition, with liberty to file a fresh petition laying challenge to the order dated 30.05.2016(Annexure P-11).

6. Dismissed as withdrawn. It shall, however, be open to the petitioners to file a fresh petition on the same cause of action including challenge to the order dated 30.05.2016 (Annexure P-11), in accordance with law.

**( AJAY KUMAR MITTAL )**  
**JUDGE**

**July 21, 2016**  
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**( RAMENDRA JAIN )**  
**JUDGE**