

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CWP 1178 of 2017

Date of Decision: February 14, 2017

M/s Jagdambey Rice and General Mills

.....Petitioner

Vs.

UOI and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr.Daman Dhir, Advocate
for the petitioner.

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M.M.S. BEDI, J. (ORAL)

The petitioner is a rice miller and is aggrieved by annexure P-7 issued by Punjab State Cooperative Marketing Federation Limited (MARKFED), challenging the demand of amount of interest which has been imposed upon the petitioner miller in the milling bill annexure P-7 on account of alleged delayed delivery of custom milled rice for Kharif Marketing Season (KMS) 2012-13 on the ground that bill ex-facie is illegal and unreasonable as there is apparently no delay in delivery of the rice after milling.

Counsel for the petitioner makes a reference to the letters annexure P-2 dated July 8, 2013, annexure P-3, dated September 10, 2013 and annexure P-5 dated December 10, 2013 extending the period of delivery till January 17/ 18, 2014.

I have heard learned counsel for the petitioner. The grievance of the petitioner regarding non-entitlement of the MARKFED to recovery the interest on account of alleged delay which as a matter of fact does not exist in view of the above said letters, seems to have not been conveyed to the MARKFED by submitting any protest/ representation/ notice to enable the MARKFED to rectify the error in the bill, if any.

This petition is premature. Let petitioner submit his grievance to the MARKFED within a period of 7 days taking up all the pleas as taken in the present writ petition. If any such representation is submitted within a period of 7 days, the grievance of the petitioner will be looked into by passing a speaking order before effecting any recovery on account of interest on the KMS 2012-13 for delayed delivery.

Disposed of as premature at this stage.

This order will not, in any manner, prejudice the rights of the MARKFED to effect other recoveries, if any, in accordance with law.

February 14, 2017
sanjay

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned:	Yes/ No.
Whether Reportable:	Yes/No.