

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CWP No.772 of 2011 (O&M)

Date of Decision: 28th September, 2017

M/s G.N. General Mills, Banga and another

. . . . Petitioners

Vs.

Punjab State Civil Supplies Corporation Limited and another

. . . . Respondents

CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr.Sandeep Jain, Advocate,
for the petitioner.

Mr.Naresh Gopal Sharma, Advocate, for
Mr.Mehardeep Singh, Advocate,
for the respondents.

RAKESH KUMAR JAIN, J. (ORAL)

CM No.13706 of 2017

Application is allowed as prayed for.

CWP No.772 of 2011

This petition is filed to challenge the order dated 1.10.2010 by which the respondents/PUNSUP has raised a demand of ₹1,59,997.62 with interest @ 21% from 1.9.1996 till the date of its realization.

During the pendency of the case, the petitioners deposited the principal amount along with interest@ 10% in the Registry of this Court.

Learned counsel for the petitioners submits that the PUNSUP had also filed a suit bearing Civil Case/RBT No.381/15 titled as Punjab State Civil Supplies Corporation Ltd. and another Vs. M/s G.N. General Mills, Banga and others, for recovery of the aforesaid amount. The said suit has been dismissed on 22.12.2016. He thus submits that with the dismissal of the suit for recovery of the demand raised by the PUNSUP vide impugned order dated 1.10.2010,

the present petition has become redundant, therefore, while praying that he

may be allowed to withdraw the petition as having become infructuous, learned counsel for the petitioners prays that the amount deposited by the petitioners in this Court i.e. the principal amount along with 10% interest may be ordered to be refunded.

Learned counsel for the PUNSUP has not raised any objection in this regard and consequently, the present petition is hereby disposed of as having become infructuous and Registry of this Court is directed that the principal amount along with 10% interest deposited by the petitioners be returned to them which shall be collected by Arun Kumar Dua/petitioner No.2.

It is made clear that the Registry shall return the amount after ensuring the identification of Arun Kumar Dua/petitioner No.2 from the counsel for the petitioners.

28th SEPTEMBER, 2017
Vivek

(RAKESH KUMAR JAIN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>