

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

CWP 1798 of 2017

Date of decision: 1.2.2017

M/S Vijay Rice & General Mills

Petitioner

vs.

Union of India and others

Respondent

Present: Mr. Daman Dhir, Advocate.

M.M.S.BEDI,J.

The petitioner is aggrieved by imposition of interest of Rs.86506/-, Included in the paddy milling bill for the crop year 2012-13. It has been submitted by counsel for the petitioner that the petitioner is not liable to pay the interest as the amount of interest at fixed rate stands already paid to State Govt. agencies i.e. Pungrain, Markfed, Punsup, Punjab Agro & PSWC, as per the RTI information received (Annexure P-8) from Manager (Accounts) FCI, District Office Faridkot. The said claim appears to have not been raised before the authority demanding the payment of interest.

The petitioner has got an alternative remedy of approaching the Arbitrator. Counsel for the petitioner submits that the Arbitrator will not have any jurisdiction to pass any order regarding the interest. All the pleas pertaining to the entitlement of delayed milling can be raised by the petitioner. The Arbitrator can pass an interim order also in favour of the petitioner regarding the recovery of interest.

Relegating the petitioner to the alternative remedy, the petition is disposed of as not maintainable.

February 1 ,2017
TSM

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether Reportable

Yes/ No