

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

**CWP No. 5399 of 2017
Decided on : 09.10.2017**

M/s Balaji Transport Company

. . . Petitioner

Versus

Haryana State Federation of Consumers Cooperative
Wholesale Stores (Confed) and another

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL**

PRESENT: Mr. Dhiraj Chawla, Advocate
for the petitioner.

Mr. Deepak Manchanda, Advocate
for respondent No.1.

Mr. Sandeep Moudgil, Addl. AG, Haryana.

None for respondent No.5.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has impugned the order dated 16th December, 2016 (appended as Annexure P-18), whereby, respondent No.2 had affirmed the cancellation of the Transportation Contract for lifting and unloading of food grains at Gurgaon including forfeiture of security and blacklisting for future contracts.

2. Mr. Deepak Manchanda, Advocate, who is representing respondent No.1 submitted that respondent No.1 has since withdrawn the aforesaid impugned order dated 16th December, 2016 (Annexure P-18). It was further pointed out that the forfeiture of security has also been withdrawn and the amount of security deposited by the petitioner shall be released within a period of two weeks.

3. In view of the above, learned counsel for the petitioner

submitted that the present petition has been rendered infructuous and may be disposed of as such. However, liberty be granted to the petitioner to file an application for revival of the writ petition, in case the security amount is not released by the respondents. A further prayer was made that the petitioner had worked for two months with respondent No.1 and the bills be cleared and the amount be released to the petitioner.

4. The writ petition stands disposed of as infructuous with liberty as prayed for. It is, however, clarified that it shall be open to the petitioner to approach respondent No.1 by way of a detailed and comprehensive representation laying the claim as laid before this Court qua the clearance of bills. Respondent No.1 shall decide the same by passing a speaking order after affording an opportunity of hearing to the petitioner, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

October 09, 2017

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*