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

**COCP No.463 of 2017 (O&M)
Date of Decision: 05.07.2018**

**M/S MALWA RICE GRAM UDYOG SAMITI, SEHAJPURA ROAD,
SAMANA, DISTRICT PATIALA.**

..... Petitioner

Versus

**RAJ KAMAL CHAUDHARY, PRINCIPAL SECRETARY,
DEPARTMENT OF FOOD AND CIVIL SUPPLIES, PUNJAB,
CHANDIGARH AND OTHERS**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. J.P.S. Sidhu, Advocate
for the petitioner.

Mrs. Anu Chatrath Kapur, Addl. Advocate General, Punjab
for respondent Nos.1 & 2/*State*.

Ms. Deepali Puri, Advocate
for respondent No.3/*PUNSUP*.

Mr. Vikas Singh, Advocate
for respondent No.4/*MARKFED*.

JASWANT SINGH, J. (ORAL)

The petitioner-firm is engaged in a custom milling and was allotted a contract for the crop year 2012-2013 for supply of Custom Milled Rice by respondent No.4/*Markfed*. A dispute has occurred for non supply of the required amount and of standardized quality of Custom Milled Rice. Respondent No.4/*Markfed* has deducted certain portion of

the security deposited by the petitioner-firm.

The petitioner-firm alleges that there is a violation of the order dated 14.12.2015, passed by learned Single Judge of this Court, whereby the respondents were directed to refund the proportionate security to the supplied consignments.

The respondents have taken up the plea that on account of the delayed supply of the consignments of Custom Mill Rice, respondent No.4/*Markfed* was entitled to deduct certain amounts from the security in terms of the conditions of the contract.

Learned counsel for respondent No.4/*Markfed* submits that although there is an arbitration clause in such like agreements, however, concedes that many of similarly situated Millers seeking identical reliefs have filed writ petitions before this Court, challenging the action of the *Markfed* in deducting the proportionate amounts from the security deposits.

Learned counsel for the petitioner, in view of the objections, prays for permission to withdraw the present contempt to enable his client to seek his remedy, in accordance with law.

Dismissed as withdrawn.

July 05, 2018

'rajneesh'

**(JASWANT SINGH)
JUDGE**

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No