

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

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CWP-15297-2018

Decided on : 08.06.2018

M/s Rahad Transport Company & others

... Petitioners

Versus

Food Corporation of India & others

... Respondents

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. Anurag Chopra, Advocate, for the petitioners.

Ms.Palika Monga, DAG, Haryana, for respondent No.2.

Mr.R.S.Badhwar, Advocate, for respondents No.3 to 5.

G.S. Sandhawalia, J. (Oral)

Petitioner seeks issuance of a writ in the nature of mandamus, directing the respondents to comply with the directions issued by the Government of India vide letter dated 26.03.2014 (Annexure P-6) along with the compliance of the letter dated 16.03.2015 (Annexure P-7), issued by the Food Corporation of India, Haryana. In furtherance of the Allotment Letters dated 15.07.2016, 22.07.2016, 03.08.2016, 03.08.2016 and 29.09.2017, issued to the petitioners (Annexures P-1 to P-5, respectively) in pursuance to the respective notices for being appointed as Handling & Transport Contractors for Centre Jakhal, Centre Baatu and Centre Barwala, Centre Dabwali & Centre Bhuna, issued by the Food Corporation of India, Haryana-respondent No.1, as the necessary work of transportation of foodgrains from godowns to respective Railheads of the respective centres which has to be undertaken by the petitioners in pursuance to their allotment letters.

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Counsel for the petitioners submits that on an earlier occasion, in CWP-10195-2016, decided on 23.05.2016 (Annexure P-15) and in CWP-7529-2017, decided on 08.02.2018 (Annexure P-17), similar orders were passed.

In the written statement filed by the Joint Director, Food & Supplied Department, Haryana, on behalf of respondent No.2 today, no serious dispute, as such, has been raised, rather the State has taken a stance that it would comply with the earlier directions and necessary guidelines have been issued. Relevant portion of the reply reads as under:

“2. That the petitioners/contractors have prayed for the compliance of directions issued by the Government of India vide letter dated 26.03.2014. However, it is to be noted that the said letter was issued in reference with the minutes of the meeting held on 07.03.2014 with Addl. Secretary & Financial Advisor wherein it was decided that steps be taken for procurement, storage and transportation of wheat and to further the process the direct delivery be made to FCI from Mandi yard and not from the godowns of state agencies. Also, this Hon'ble Court in its order dated 08.02.2018 in CWP No. 7529 of 2017 and CWP No. 13719 of 2017 issued directions for considering the recommendations made in the meeting and take appropriate action. The said proposal has now been approved and accordingly guidelines have been passed by the Food Civil Supplies and Consumer Affairs Department, Haryana. The copy of the same is annexed herewith as Annexure R-1.

3. That it is also submitted that the answering respondent had already issued necessary directions to all the District Food & Supplies Controller in Haryana State vide letter dated 20.05.2016 (Annexure P-16) and the same are in the process of implementation.”

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Keeping in view the above, counsel for the petitioners is satisfied if the State stands by its undertaking given in the above terms.

Writ petition, accordingly, stands disposed of.

**(G.S. SANDHAWALIA)
JUDGE**

JUNE 08, 2018

sailesh

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No