

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

**CWP-17663-2019 (O&M)
Date of Decision:04.07.2019**

M/s Shiv Shankar Rice & General Mills & others ... Petitioners

Versus

Food Corporation of India & others ... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sherry K. Singla, Advocate for the petitioners.

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TEJINDER SINGH DHINDSA, J. (ORAL)

It is the categoric submission made by counsel that each of the petitioner/Rice Mills herein were allotted Release Order paddy by the Food Corporation of India.

Counsel has adverted to Clause 14 (ii) (i) of the Punjab Custom Milling of Paddy Policy (Kharif 2018-19) to contend that the transportation charges on movement of Release Order paddy would be paid by the procurement agencies at the rates notified by the department or at the rates refundable by the Food Corporation of India which ever is less. Difference, if any, is to be borne by the miller concerned.

Instant writ petition has been filed seeking a mandamus for directing the respondent/authorities to release the payment of the transportation charges for the Kharif Marketing Season 2018-19 as per the afore noticed provisions of the Punjab Custom Milling of Paddy Policy.

Counsel argues that the requisite amount is not being released without any basis. Even a legal notice dated 11.04.2019 (Annexure P-6) is stated to have been served and which has not evoked any response.

In view of the above and without even ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the instant writ petition with a direction to respondents No.1 to 3 i.e. the concerned officials under the Food Corporation of India as also the Food Civil Supply and Consumer Affairs Department, State of Punjab to look into the matter against the backdrop of the legal notice dated 11.04.2019 (Annexure P-6) and to take a final decision as regards the claim set up on behalf of the petitioners/Rice Millers. A final decision in such regard be taken expeditiously and in any case within a period of two months from the date of receipt of a certified copy of this order and the same be communicated to the petitioners.

Disposed of.

04.07.2019*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |