

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
Sr. No.102+104

CWP-9979-2020
Date of decision : 17.7.2020

M/s Raghupati Food Products and others Petitioners
VERSUS
State of Punjab and others Respondents

CWP-9998-2020

M/s Jai Jagdamba Rice Mills and others Petitioners
VERSUS
State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Daman Dhir, Advocate, for the petitioners
in both petitions.

SUDHIR MITTAL, J. (Oral)

The petitioners are rice millers. Their grievance is that transportation charges reimbursed to them for Kharif Marketing Season (KMS) 2017-18 as per policy of the Food Corporation of India, are being illegally recovered/deducted against payments due for KMS 2019-20.

Learned counsel for the petitioners has argued that as per letter dated 31.8.2018, Annexure P-3, transportation charges for paddy transported against release order directly from mandi to another district, was reimbursable for a maximum of 40 kilometers either as per CMR policy of KMS 2016-17 on letter dated 4.6.2016 whichever was lower. The petitioners had transported paddy against release order upto distance beyond 100 kilometers and accordingly, they were reimbursed @ Rs.22.50 paise per quintal as per clause 7(f)(iv) of CMR 2016-17, Annexure P-5. The reimbursement was for the maximum cap fixed vide letter dated 31.8.2018, Annexure P-3, i.e. 40 kilometers. Now, the said amount is being recovered/deducted against payments due for KMS 2019-20. A detailed representation (Annexure P-9) has been submitted, but no response has been received.

Notice of motion.

Ms. Anu Chatrath, AAG, Punjab, accepts notice on behalf of respondents No.1 and 2 and waives service.

Mr. Gurinderjit Singh, accepts notice on behalf of respondent No. 3 and waives service.

Mr. Mayank Mathur, Advocate, accepts notice on behalf of respondent No.6 and waives service.

In view of the nature of the order being passed, there is no necessity to call upon other respondents, at this stage.

The writ petitions are disposed of with direction to respondent Nos.3 and 6 to consider and decide the representation (Annexure P-9) and any other supplementary representation, in accordance with law, after hearing the petitioners. A speaking order shall be passed within a period of six weeks from the date of receipt of certified copy of this order. Till then, no recoveries/deductions be made in respect of aforementioned amount.

(SUDHIR MITTAL)
JUDGE

17.7.2020

Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes / No

Yes/ No