

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

**CWP-11678-2020(O&M)  
Date of Decision: 15.12.2020**

**Shri Annapurna Rice Mills and others**

**..... Petitioners**

**versus**

**Food Corporation of India and others**

**..... Respondents**

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

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Present: Mr.Shiv Kumar, Advocate for the petitioners.

Mr.Sunish Bindlish, Advocate for respondents No. 1 and 2.

Mr.Suveer Sheokand, Addl. AG, Punjab  
for respondents No. 3 and 4.

Mr.Amandeep Singh, Advocate for respondents No. 5 and 6.

Mr.Satya Pal Jain, Additional Solicitor General of India  
with Mr.Ashish Rawal, Advocate for respondent No.7-UOI.

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**TEJINDER SINGH DHINDSA, J. (ORAL)**

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Instant writ petition was filed seeking a mandamus for directing the respondents to settle the claim and finalise the accounts of the petitioner-rice mills in respect of supply of B-Class gunny bags of crop year 2016-17 consumed for filling of paddy during the crop year 2017-18 as per policy and guidelines of the respondents.

On a previous date of hearing i.e. 19.11.2020 this Court had

noticed that the State of Punjab as well as Food Corporation of India had

already examined the claim of the petitioners and had made recommendations in their favour. Accordingly directions had been issued to the 7<sup>th</sup> respondent i.e. Secretary, Ministry of Food and Consumer Affairs, Union of India, New Delhi to take a final decision in the matter.

During the course of hearing today learned counsel representing respondent No.7 has forwarded by way of email a communication dated 14.12.2020 from the Government of India, Ministry of Consumer Affairs, Food & Public Distribution, Department of Food & Public Distribution and addressed to the Principal Secretary, Department of Food, Civil Supplies & Consumer Affairs, State of Punjab whereby approval stands granted for balance quantity of 806265 bags of MARKFED pertaining to KMS 2016-17 as verified by the Food Corporation of India in terms of the earlier policy of gunny depreciation for procurement of paddy during KMS 2017-18.

Copy of such communication was also furnished to counsel for the petitioners.

Mr. Sunish Bindlish, learned counsel representing Food Corporation of India makes a statement that in the light of the approval granted and reflected in the communication dated 14.12.2020 referred to hereinabove, the requisite payment would now be released to the concerned State Procurement Agency i.e. MARKFED positively within a period of 10 days from today.

Mr. Amandeep Singh, learned counsel representing MARKFED furnishes an assurance that as soon as the payment is received from Food Corporation of India, the same would be disbursed to the petitioner-mills without any further delay.

In view of the above, the writ petition has been rendered infructuous and the same is disposed of accordingly.

The submission advanced by Mr. Shiv Kumar, Advocate at this stage may be noticed. He submits that the necessary approval has been delayed by a number of years and without any justifiable basis. It is urged that under such circumstances it would be just and fair for interest for the delayed release of payment to be also granted in favour of the petitioner-mills.

The issue with regard to claim of interest is kept open, liberty is granted to the petitioner-mills to raise such claim in accordance with law.

Pending applications, if any, shall also stand disposed of.

**(TEJINDER SINGH DHINDSA)**  
**JUDGE**

**15.12. 2020**  
**sunita**

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |