

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 12307 of 2020 (O&M)

Date of decision : 20.8.2020

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M/s Kartar Rice Mills, Rampura Phul,
District Bathinda, through its Proprietor
Varinderjeet Singh and another

.....Petitioners

vs.

State of Punjab, Department of Food, Civil Supplies
and Consumer Affairs, through its Principal
Secretary-cum-Financial Commissioner, Govt. of Punjab,
Chandigarh and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Daman Dhir, Advocate
for the petitioners.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

Petitioners M/s Kartar Rice Mills, Rampura Phul, District
Bathinda through its Proprietor Varinderjeet Singh as well as M/s
Bhole Shankar Rice Mills, Rampura Phul, District Bathinda through
its partner Narsi Ram have brought the present writ petition under

Article 226 of the Constitution of India, against respondents i.e. State of Punjab, Department of Food, Civil Supplies and Consumer Affairs through its Principal Secretary-cum-Financial Commissioner, Government of Punjab, Civil Secretariat, Chandigarh; the Director/Commissioner, Food, Civil Supplies and Consumer Affairs, Government of Punjab, Anaj Bhawan, Sector 39-C, Chandigarh; The Punjab Agro Foodgrains Corporation Limited (PAFC) through its Managing Director, Chandigarh and The District Manager, Punjab Agro Food Grains Corporation, Bathinda, craving for issuance of appropriate writ in the nature of mandamus directing the respondents, especially respondents No. 3 and 4, to make the due payment amounting to Rs.2,43,182/- alongwith security amount of Rs.26,000/- in case of petitioner No.1 and Rs.4,63,614/- alongwith security amount of Rs.25,000/- in the case of petitioner No.2, pertaining to KMS 2018-19 alongwith interest @ 18% per annum, with effect from the date the amounts became payable till actual payment.

As per version of the petitioners, they are into the job work of milling/shelling of paddy under the Scheme of custom milling of paddy and during Kharif Marketing Season 2018-19, they were allotted custom milling of paddy and were allocated to Punjab Agro Foodgrains Corporation. The petitioners had done the job to the satisfaction of respondents and then submitted bills claiming the charges for doing the work besides asking for refund of security amounts without eliciting any response. Therefore, they have knocked at the door of this court by way of filing the present writ

petition.

Learned counsel for the petitioners has referred to the orders passed by this Court in a similar matter i.e. CWP No. 9569 of 2020, decided on 13.7.2020 and legal notice submitted by petitioner No.1 dated 28.6.2020 Annexure P-7.

Notice of motion.

Ms. Kanika Sachdeva, Assistant Advocate General, Punjab, has appeared on behalf of respondents-State and accepted notice.

Learned counsel for the petitioners submits that the petitioners would be satisfied if a direction is issued to the respondents to consider the claim of the petitioners and take necessary action in the matter within a fixed time frame.

Learned State counsel appearing for the respondents states that she has received copy of the writ petition alongwith Annexures and respondents would consider the claim of the petitioners and dispose of the same in terms of the directions issued by this Court.

Keeping in view such request of learned counsel for the petitioners, the response given by learned counsel appearing for the respondents and to avoid unnecessary litigation between the parties, the present writ petition is disposed of directing the respondents to consider the grievances of the petitioners as detailed in the present writ petition, which alongwith Annexures be treated as representation and if some amounts are found payable then the payment be also made, within a period of two months from today. It is hereby observed that if as a result of decision taken by the respondents on

the representations, the petitioners still feel aggrieved, they may approach the Court again to seek their legal remedy, in accordance with law.

20.8.2020
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(H.S. Madaan)
Judge

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No