

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(104)

CWP No. 18749 of 2020

Date of Decision : 16.11.2020

M/s Shivam Satyam Rice Mills and others

....Petitioners

Versus

The Food Corporation of India and others

.....Respondents

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Mr. Gurinderjit Singh, Advocate
for respondents No. 1 and 2-FCI.

Ms. Lavanya Paul, Assistant Advocate General, Punjab.

Ms. Deepali Puri Sandhu, Advocate
for respondents No. 5 and 7.

Harsimran Singh Sethi, J. (Oral)

The present writ petition has been filed by the petitioners with the grievance that some recoveries are being made from the petitioners, which according to law, could not be made by the respondents.

Learned counsel for the petitioners submits that the said recoveries are being effected without there being any order conveyed to the petitioners-Rice Mills. Learned counsel for the petitioners further submits that similarly situated Rice Mills approached this Court by filing CWP Nos.

9979 of 2020, 9998 of 2020 and 12890 of 2020, which petitions have been disposed of by this Court directing the respondent-department to consider the representations filed by the petitioners therein and pass appropriate speaking order on the grievance raised in those representations. Learned counsel for the petitioners prays that the similar order be passed in case of the present petitioners as well.

Learned counsel appearing on behalf of respondents No. 1 and 2-FCI submits that petitioners have not filed any representation raising any grievance and the representation (Annexure P-6), which is being relied upon by the petitioners in the present petition, does not include the names of the petitioners and, therefore, no consideration can be given to the case of the petitioners in the absence of any representation. Learned counsel for respondents No. 1 and 2-FCI further submits that in case any representation is filed by the petitioners raising the grievance, as raised in the present writ petition, the same will be decided and disposed of within a period of three months from the receipt of the same by passing appropriate speaking order.

Faced with this situation, learned counsel for the petitioners submits that he be allowed to withdraw this writ petition with liberty to approach the respondents by filing appropriate representation raising the grievance, as raised in the present writ petition.

The present writ petition is allowed to be withdrawn with liberty to the petitioners to approach the respondents by filing appropriate representation raising the grievance, as raised in the present writ petition and in case, any such representation is filed, the same be disposed of within a period of three months of the receipt of the same by passing appropriate

speaking order as undertaken by learned counsel for the respondents.

November 16, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes/No*
Whether reportable? *Yes/No*