

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 20152 of 2020

Date of Decision: 10.12.2020

M/s Mahal Rice Industries and Another

... Petitioner(s)

Versus

Food Corporation of India and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Shiv Kumar, Advocate
for the petitioner(s).

Mr. K.K.Gupta, Advocate
for respondents No.1 and 2.

Ms. Anju Arora, Additional Advocate
General, Punjab for respondent No. 3 and 4.

Mr. A.P.S.Mann, Advocate
for respondent No.7.

Anil Kshetarpal, J.

On 26.11.2020, the following order was passed:

“The petitioner has been allotted certain quantity of paddy for custom milling. The petitioner is required to supply the rice to the Food Corporation of India towards contribution of the State of Punjab in the central pool. The grievance of the petitioner is that he is ready to supply the rice, however, the officials of the Food Corporation of India are refusing to accept the supply on the ground that a CBI case is pending against one of the owner of the petitioner.

for the Food Corporation of India pursuant to supply of an advance copy. He does dispute the aforesaid fact but prays for a short adjournment to justify the stand taken by the officials of the Food Corporation of India while refusing to accept the supply of rice. He also pray for time to ponder over the entire matter once again.

Adjourned to 09.12.2020.

On the next date of hearing, if the Food Corporation of India is decides to stick to its stand, the General Manager, (Punjab Region) Food Corporation of India, Chandigarh shall attend the hearing of the case through video conference to explain rationale behind such a stand”.

Mr. K.K.Gupta, Larned counsel for respondent No.2, has forwarded on official e-mail of this Court, a communication received by him from the Food Corporation of India to the effect that the rice already milled by the petitioners in the two rice mills would be accepted by the Food Corporation of India, subject to fulfillment of specifications and norms. With regard to the remaining paddy lying in the mills, a communication has been sent to the Director, Food, Civil Supplies and Consumer Affairs, Punjab.

Keeping in view the aforesaid facts, the writ petition is disposed of with the direction to the Food Corporation of India, to accept the already milled rice lying with the petitioners subject to the fulfillment of specifications and norms .

On other hand, Learned counsel for the petitioners, submits that he may be permitted to challenge the action of the respondents,

recommending to concerned authority to take back the paddy already allotted to the petitioner. The paddy belongs to a government agency.. He may do so, in accordance with law.

With the aforesaid observations, the writ petition is disposed of.

(Anil Kshetarpal)
Judge

December 10, 2020
“DK”

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