

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 2439 of 2021 (O&M)

Date of decision:- 11.02.2021

M/s Shri Guru Ram Dass and Co.Petitioner
Versus
Food Corporation of India and others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUVIR SEHGAL, JUDGE.

Present:- Ms. Madhu P.Singh, Advocate and
Mr. P.P.Singh, Advocate, for the petitioner.
Mr. K.K.Gupta, Advocate, for the respondent-FCI.
(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court).

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RAVI SHANKER JHA, C.J. (ORAL)

The petitioner has filed this petition being aggrieved by the order dated 03.05.2019 by which the petitioner has been asked to refund an amount of Rs. 58,68,455/- on the ground that the said amount has been paid in excess to the petitioner. Admittedly and apparently, the dispute arises out of a contract between the parties and involves several disputed questions of fact which cannot be gone into and looked into by this Court in exercise of its extra ordinary jurisdiction under Article 226 of the Constitution of India.

In the circumstances, the matter involving factual dispute arising out of a contract is disposed of granting liberty to the petitioner to avail the remedy under the common law by filing a civil suit etc.

With the aforesaid liberty, the petition stands disposed of.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(SUVIR SEHGAL)
JUDGE

11.02.2021
ravinder

Whetherspeaking/reasoned	Yes/No
Whetherreportable	Yes/No