IN THE HIGH COURT OF PUNJAB AND HARYANA ATCHANDIGARH

CWP-12768-2021 (O&M)
Date of Decision: July 14, 2021

HARNAM DASS ..... PETITIONER(s)

Versus

STATE OF HARYANA AND OTHERS ..... RESPONDENT(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Jastej Singh, Advocate
for the petitioner.

Mr. Sharan Sethi, Addl. A.G., Haryana.

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LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Petitioner it is submitted, is a handling and transport contractor, having a valid contract with the Food Corporation of India. Petitioner, it is further submitted, is handling the transport of food grains by FCI from HTC Uklana Mandi, Hisar to Railhead, Barwala, District Hisar. However, petitioner is facing difficulty in carrying out his work of transportation in-as-much as the private respondents are attempting to force the petitioner to engage labour and trucks belonging to the Union of the private respondents. At his refusal, petitioner is being pressurized and forced to deposit some illegal charges commonly and in local parlance referred to as 'Dala charges'. Private respondents, it is further submitted, are not permitting the petitioner to carry on his work in a proper manner and petitioner was not permitted to

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load his vehicles on 3rd and 4th July, 2021 in an illegal manner. Despite representation dated 10.07.2021 (Annexure P5) as well as personal requests, no action is being taken by the respondent-authorities.

At this stage, learned counsel for the petitioner restricts his prayer for a direction to respondent - authorities to ensure that petitioner is permitted to carry on with his work i.e. execution of tender allotted to him including loading of his vehicles, without any hindrance at the hands of private respondents.

Notice of motion to respondents no.1 to 4 at this stage.

Mr. Sharan Sethi, Addl. A.G., Haryana, accepts notice on behalf of respondents no.1 to 4. Advance copy of the writ petition stands served.

Keeping in view the order being passed, there is no requirement of a reply to be filed in this matter.

In view of the facts and circumstances of this case, but without any expression of opinion on the merits of the matter, this petition is disposed of with a direction to respondent no.3 to look into the matter and ensure free and smooth transportation of food grains as per terms and conditions of the tender allotted to the petitioner.

Petition is disposed of accordingly.

14.07.2021 **(LISA GILL)**
Sunil **JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

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