

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

124

CWP-11339-2023 (O&M).
Date of Decision: 24.05.2023.

Rajesh Enterprises

.. Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Vivek Goyal, Advocate, and
Mr. Kapil Gupta, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been preferred by the petitioner for seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to hand over 18200 wooden crates given on rent for storage purposes along with pending rent from June 2022 till date.

Learned counsel for the petitioner contends that the petitioner provided 18200 wooden crates to Food and Supplies Department, Haryana on rent @ Rs.18/- per month per crate in the year 2019 for the purpose of wheat storage. He further contends that the respondents were irregular in making monthly payments since the very beginning and therefore, the petitioner made several complaints which fell on the deaf ears, however, not even a single crate has been returned back to the petitioner and the rent has

also been paid only till May 2022. He contends that since neither the crates are being returned nor the rent is being paid and therefore, the present petition has been filed. He further contends that in this regard, a legal notice dated 26.11.2022 (Annexure P-2) has been sent by the petitioner and that despite a lapse of more than 06 months since the date of the legal notice neither any decision has been taken thereupon nor the crates along with due and undisputed payment has been released by the respondents. He further contends that he would be satisfied in case the respondent-authorities are directed to look into the legal notice and the grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Vivek Saini, Addl. A.G. Haryana, who is present in Court, accepts notice on behalf of the respondents and he has no objection to the aforesaid prayer being granted.

Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and the respondent No.3 - the District Food and Supplies Controller, Karnal, is directed to take note of the legal notice dated 26.11.2022 (Annexure P-2) sent by the petitioner and to pass a reasoned and speaking order thereupon in accordance with law and preferably within a period of three months from the date of receipt of certified copy of this order.

Needless to mention that in the event the entitlement of the petitioner being established as per law, the payment due to the petitioner

shall be released expeditiously and preferably within a further period of three months.

Petition stands disposed of accordingly.

May 24, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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