

**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

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**CWP-12369-2023
Date of Decision: 01.06.2023**

M/S MANJIT DEVI

... Petitioner

VERSUS

FOOD CORPORATION OF INDIA & ANOTHER

... Respondents

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

Present: Mr. Anurag Chopra, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been instituted under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus directing the respondents to release the due payment for the bills raised vide letters dated 24.02.2023 and 03.03.2023 (Annexure P-10 and P-11 respectively) for the work of Handling and Transport undertaken by the petitioner from HTC Ratia at FCI FSD Tohana and HTC BHUNA R/H Barwala which has not been released to the petitioner inspite of the work undertaken successfully.

Learned counsel for the petitioner contends that the petitioner seeks redressal of its grievance whereby on account of being appointed as the Handling and Transport Contractor for Bhuna Railhead Barwala and because of the hindrances having been created by the rival contractors thereof causing delay in the work to be executed by the petitioner, COC charges had been

levied upon the petitioner vide letters dated 24.01.2023 and 09.02.2023 issued by respondents No.1 and 2 and the bills for the work undertaken by the petitioner has not been released by the respondent Corporation which is wholly illegal and arbitrary. He further submits that in order to seek redressal of his grievance(s), the petitioner has submitted various letters/complaints including the latest representation dated 10.05.2023 (Annexure P-14), but no action has been taken thereupon till date.

Notice of motion.

Mr. Vikash Lochab, Advocate appears and files memo of appearance on behalf of the respondents and prays for some time to file response, if any.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.2- Food Corporation of India having its Divisional Office behind New Grain Market, Sirsa Road, Hisar through its Divisional Manager, is directed to consider and decide the representation dated 10.05.2023 (Annexure P-14) in a time bound manner.

Learned Counsel for the respondents does not oppose the prayer made by the learned counsel for the petitioner.

Accordingly, in view of the above, with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of while directing respondent No.2 to consider and decide the representation dated 10.05.2023 (Annexure P-14) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of three months from the date of receipt of certified copy of this order.

Needless to mention that upon considering the said representation, if any amount is found due and payable to the petitioner, the same shall be disbursed within a further period of three months.

Petition stands disposed of accordingly.

01.06.2023
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(VINOD S. BHARDWAJ)
JUDGE

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