

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

109

**2023:PHHC:119983
CWP No. 20285 of 2023
Date of Decision:13.09.2023**

M/s Neelgiri Rice Mills

....Petitioner

VS.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Daman Dhir, Advocate
for the petitioner
Mr. Deepanjay Sharma, DAG, Punjab
Mr. K.K.Gupta, Advocate
for FCI

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of letters dated 23.09.2022 (Annexure P-8) and 29.09.2022 (Annexure P-9) whereby respondent No. 7-FCI has recommended the State authorities not to allot paddy as petitioner has failed to replace BLR for the year 2019-20.

2. Learned counsel for the petitioner submits that FCI vide letter dated 28.08.2022 (Annexure P-7) has confirmed that petitioner has replaced BRL for the year 2019-20 whereas by letter dated 23.09.2022 read with letter dated 29.09.2022 FCI has formed a totally contradictory view. This Court in similar circumstances has directed the State authorities to allot paddy for KMS 2023-24 subject to deposit of value of BLR alongwith interest.

3. Learned counsel for FCI, who on advance notice is present in Court, submits that letter dated 28.08.2022 (Annexure P-7) is a disputed document. It seems to be a forged document and petitioner cannot be extended benefit of said document. He concedes that Division Bench of this Court in LPA No. 59 of 2023 titled as “Food Corporation of India and others vs. M/s J.R. Rice Mills and others” has directed the State to allot paddy subject to deposit of value of BRL alongwith interest.

4. In the wake of statements of both sides and order dated 21.08.2023 passed by Division Bench of this Court in M/s J.R. Rice Mills (supra), the petition stands disposed of with a direction to petitioner to deposit value of BRL alongwith interest. FCI shall communicate value of BRL alongwith interest to the petitioner within a week from today and on doing so, the petitioner shall deposit the said amount with FCI. If the petitioner deposits the amount communicated by FCI, the respondent-State shall consider case of the petitioner for allotment of paddy. It is made clear that petitioner shall deposit amount with interest and if it is found at a later stage that petitioner is not liable to deposit the said amount, the FCI shall refund the amount alongwith interest.

5. This order shall be subject to outcome of the afore-stated Letters Patent Appeal.

(JAGMOHAN BANSAL)
JUDGE

13.09.2023
paramjit

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