



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-12567-2024
Date of decision:-05.11.2024

M/s Kuber Rice Mills and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Daman Dhir, Advocate
for the petitioners.

Ms.Amrita Garg, AAG, Punjab.

Mr.Manbir Singh Batth, Advocate
for respondents No.3 to 6

SUVIR SEHGAL, J.(ORAL)

1. Instant writ petition has been filed by the petitioners under Article 226 of the Constitution of India, *inter alia*, for issuance of a writ in the nature of mandamus directing respondents to refund the security amount of Rs.11 lakhs deposited by them along with interest @ 18% per annum. In the alternative, prayer has been made to issue a writ in the nature of mandamus directing respondents to consider and decide the claim of the petitioners in time bound manner.
2. Short reply by way of affidavit of Additional Director, Food, Civil Supplies & Consumer Affairs, Punjab – cum – Additional



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Managing Director, PUNGRAIN has been filed on behalf of respondents No.3, 5 and 6, which is taken on record.

3. Mr.Daman Dhir, counsel for the petitioners submits that the petitioners had deposited the security of Rs.11 lakhs each with the respondents for custom milling of paddy for crop year 2023-24. He submits that although the petitioners have discharged their obligation, but the security amount has not been refunded.

4. Upon instructions, State counsel has placed on record a copy of cheque bearing No.001703 dated 29.10.2024 to submit that the security amount of Rs.11 lakhs has been refunded to petitioner No.5. She has instructions to state that after adjusting security amount for the current crop year, the balance amount, if due, would be refunded to the other petitioners.

5. In view of the above statement made by the State counsel, the writ petition is disposed of. Respondents are directed to refund the amount due if any, to the petitioners within a period of two months from the date of communication of copy of this order.

6. It is clarified that the petitioners would not be entitled to claim any interest for the delay, if any, provided the amount is refunded within the aforesaid period.

(SUVIR SEHGAL)
JUDGE

05.11.2024
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Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No