

2024:PHHC:093265



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

**114**

**CWP-17079-2024**

**Date of Decision: 24.07.2024**

**EKAM INDUSTRIES**

... Petitioner

**VERSUS**

**PUNJAB AGRO FOODGRINAS CORPORATION LTD.  
AND OTHERS.**

... Respondents

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

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Present: Mr. Aman Bansal, Advocate for the petitioner.

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**VINOD S. BHARDWAJ, J. (ORAL)**

Challenge in the present petition is to the order dated 18.06.2024 passed by respondent No.4 and the letter dated 11.06.2024 passed by Regional Manager, Punjab Agro Foodgrains Corporation Limited (wrongly mentioned as respondent No.3- District Manager, Punjab Agro Foodgrains Corporation Limited, Sangrur).

Learned counsel for the petitioner contends that the dues for the execution of the work alongwith security/earnest money deposited by the petitioner is lying with the office of District Manager, Punjab Agro Foodgrains Corporation Limited, Sangrur, however, the respondent-PAFCL has rejected the claim of the petitioner by calling for a report from District Manager, PAFCL, Moga. He contends that the order of rejection of claim is thus based on misappreciation of facts and by placing reliance on the account books pertaining to the office of District Manager, PAFCL, Moga. It is further submitted that a

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representation dated 28.06.2024 (Annexure P-8) has already been sent by the petitioner to the Managing Director, PAFCL, Sector 28, Chandigarh clarifying the said aspect and requesting therein to release the outstanding dues of the petitioner. However, no action has been taken by the respondents thereupon till date.

Notice of motion.

Mr. Saurav Verma, Addl. A.G., Punjab, who by virtue of his assignment is also on the panel of all the statutory corporations and bodies of the Government of Punjab, is directed to accept notice on behalf of the respondents. Hence, he accepts notice on behalf of the respondents and prays for some time to complete instructions and file response.

Learned counsel for the petitioner, however, contends that he would be satisfied at this stage, in case respondent No.4- The Activity Head (Procurement) Punjab Agro Foodgrains Corporation Ltd., Plot No.2-A, Sector 28-A, Chandigarh is directed to consider and decide the representation dated 28.06.2024 (Annexure P-8) submitted by the petitioner, by passing a speaking order in a time bound manner.

Learned Counsel for the respondents has no objection to the request made by 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.4 to consider and decide the representation dated 28.06.2024 (Annexure P-8) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of three months of the receipt of certified copy of this order.



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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 in favour of the petitioner within a further period of three months.

Petition stands disposed of accordingly.

**JULY 24, 2024**  
*rajender*

**(VINOD S. BHARDWAJ)**  
**JUDGE**

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