

2024:PHHC:148091



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

117

CWP-30620-2024

Date of decision: 13.11.2024

M/S MANJIT DEVI

.....Petitioner

VERSUS

FOOD CORPORATION OF INDIA AND OTHERS

.....Respondents

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

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

Mr. Vikas Lochab, Advocate
for respondent-FCI.

VINOD S. BHARDWAJ, J. (Oral)

Challenge in the present writ petition is to the order dated 29.10.2024 whereby the HTC contract for Barwala awarded to the petitioner has been terminated and the security as well as the Bank Guarantee deposited have been ordered to be forfeited by the respondents.

2. Learned Counsel appearing on behalf of the petitioner contends that the aforesaid order has been passed for a single unit of default notwithstanding that it has been specified in the tender conditions that in the event of delay in loading of any rake, the demurrage/penalty as leveled by the Railways can be recovered from the erring contractor and without



disputing that the said recovery has already been effected, the respondents have terminated the Contract awarded to the petitioner.

3. It is not disputed that the contract provides for a dispute resolution clause before the Disputes/Grievance Redressal Committee constituted and functional at the zonal office of the respondent-Corporation. He contends that he has already made a reference/petition before the Grievance Redressal Committee on 06.11.2024 and would be satisfied at this juncture in case the Grievance Redressal Committee is directed to look into the grievances espoused by the petitioner and to take a reasoned decision expeditiously and in a time bound manner.

4. Counsel for the respondent-FCI contends that they would have no objection to the adjudication of the representation/petition preferred by the petitioner in a time bound manner. He prays for a period of two months to take a decision on the same. The aforesaid request for the time is objected to by the Counsel for the petitioner who contends that the contract itself is to expire in February, 2025 and that a shorter period may be fixed for determination of the said aspect.

5. In view of the contentions noticed above, the present writ petition is disposed of without commenting on the merits of the present case with a direction to the respondent No.3-the Grievance Redressal Committee, Zonal Office (North), Gautam Budh Nagar, Noida (Uttar Pradesh) to take an expeditious decision on the pending representation dated 06.11.2024 in a time bound manner and after granting an opportunity of hearing to the



CWP-30620-2024

-3-

respective parties expeditiously and preferably within a period of four weeks from the receipt of a certified copy of this order.

NOVEMBER 13, 2024

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No