



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Decided on :09.04.2025

[RA-CW-171-2025](#) in [CWP-22957-2019](#)

FOOD CORPORATION OF INDIA . .Petitioner
Versus

CENTRAL BOARD OF TRUSTEES AND OTHERS.
. . . Respondents

[RA-CW-172-2025](#) in [CWP-24656-2019](#)

FOOD CORPORATION OF INDIA . .Petitioner
Versus

CENTRAL BOARD OF TRUSTEES AND OTHERS.
. . . Respondents

[RA-CW-169-2025](#) in [CWP-27258-2023](#)

FOOD CORPORATION OF INDIA FSD BANUR . .Petitioner
Versus

CENTRAL BOARD OF TRUSTEES AND OTHERS.
. . . Respondents

[RA-CW-173-2025](#) in [CWP-26497-2023](#)

FOOD CORPORATION OF INDIA FSD BANUR . .Petitioner
Versus

CENTRAL BOARD OF TRUSTEES AND OTHERS.
. . . Respondents

[RA-CW-164-2025](#) in [CWP-27282-2023](#)

FOOD CORPORATION OF INDIA FSD RAJPURA . .Petitioner
Versus

CENTRAL BOARD OF TRUSTEES AND OTHERS.
. . . Respondents

[RA-CW-166-2025](#) in [CWP-17274-2020](#)

FOOD CORPORATION OF INDIA FSD NABH A . .Petitioner
Versus

CENTRAL BOARD OF TRUSTEES AND OTHERS.
. . . Respondents

[RA-CW-167-2025](#) in [CWP-27373-2023](#)

FOOD CORPORATION OF INDIA . .Petitioner
Versus

RA-CW-171-2025 in
CWP-22957-2019 (O&M)
and connected cases.

2025:PHHC:049664



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V/S CENTRAL BOARD OF TRUSTEES AND OTHERS.

. . . Respondents

RA-CW-170-2025 in CWP-27367-2023

FOOD CORPORATION OF INDIA

. .Petitioner

Versus

CENTRAL BOARD OF TRUSTEES AND OTHERS.

. . . Respondents

RA-CW-168-2025 in CWP-27395-2023

FOOD CORPORATION OF INDIA

. .Petitioner

Versus

CENTRAL BOARD OF TRUSTEES AND OTHERS.

. . . Respondents

RA-CW-165-2025 in CWP-17131-2020

FOOD CORPORATION OF INDIA FSD MANSA

. .Petitioner

Versus

CENTRAL BOARD OF TRUSTEES AND OTHERS.

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. K.K Gupta, Advocate for the review-Applicants.

Mr. Akshay Bhan, Senior Counsel with
Mr. Rohit Nagpal, Advocate for respondent No. 2-Union.

Mr. Rajesh Hooda, Advocate for respondent No. 1CBT.

Mr. Gaurav Tangri, Advocate for
Mr. Sanjay Tangri, Advocate for the respondent (EPFO)

HARSIMRAN SINGH SETHI , J. (Oral)

I. Learned counsel for the review applicants submits that whatever the instructions were given by the concerned Divisional Managers, whose affidavits have been attached with the review petition, the application for review has been filed accordingly.



2. Learned counsel for the review-applicant submits that all the facts mentioned in the review applications are on the basis of the input provided by the said officers alone and not from any other authority or any other communication in this regard.

3. Learned counsel for the review-applicants further submits that he does not know as to whether Mr. Sachin Kataria, Divisional Manager, Sangrur and other Divisional Managers who have made averment in the review petition alongwith their affidavits to support their averments, were present in the Court on the date i.e. 04.02.2025 when the main cases were heard and decided or not in the open Court.

4. It may be noticed that in the applications seeking review of the order dated 04.02.2025, an averment has been made in paragraph No. 2 that the Counsel for the review-applicant/petitioner had addressed the arguments on all the issues raised in the writ petition, but instead of adjudicating the said issues on merit, the writ petitions were disposed of without dealing with such averment despite instance of the counsel and that too in the on the terms which has no statutory recognition under the EPF Act. The said averment in review applications shows that it is being contended in the review petition that the arguments were addressed by learned counsel for the review-applicant/petitioner on all the issues raised in the writ petition but the same were not dealt by the Court while passing the order dated 04.02.2025 in the main writ petition and writ petitions was disposed of on the request of learned counsel for the petitioner despite no such request made.

5. On being asked, the learned counsel for the review-applicant that as to whether the order sought to be reviewed was dictated in his presence or not, learned counsel for the review applicant concedes that the



said order was dictated in the open Court and in his presence. That being so, once, the order was dictated in the open Court, how an averment has been made by an officer concerned that his arguments were not noticed by this Court and were not dealt with and petitions were disposed of as requested by the learned counsel for the petitioner despite no such request made.

6. Learned counsel appearing on behalf of the EPF authority submits that averments made in the review application are totally incorrect and false and contrary to the facts which happened in the Court on the day when the petitions were decided by this Court. Learned counsel for the respondent submits that the order dated 04.02.2025 was being dictated on merits in the open Court dealing with the issues raised and when the counsel for the petitioner apprehended that the order is going against him, he made a request that instead of recording the findings on the issues raised in the writ petitions, the liberty be given to the petitioner to place on record all the documents with the EPF authorities so that the same could be examined by the said authority and it is only on the asking of the learned counsel for the petitioner, the said fact was recorded in the order dated 04.02.2025 and the liberty was given to the petitioners for placing on record all the documents available with them so as to claim reconsideration of the issue raised in the petitions.

7. Prima facie, the allegations which have been made in the paragraph no. 2 of the review by the Officer concerned are scandalous and amounts to interfering with the delivery of the justice system so as to invite the Contempt of Court.

8. The review applications have been filed along the affidavits of the different officers to support such averments made in the review petition



and that too without there being any averment in the review petition those officers were present in the Court on the day when the main writ petitions were heard and decided and they have raised the said averment on the basis of the facts which happened in the Court in their presence.

9. Before further proceeding, let the said officer namely, Mr. Jitendra Singh, Divisional Manager, FCI, Patiala, Mr. Puran Singh Martoha, Divisional Manager, Bathinda, Mr. Amit Kant, Divisional Manager, Chandigarh and Mr. Sachin Kataria, Divisional Manager, Sangrur who has filed have filed their respective affidavits to support the averment in the review applications be remain present in the Court on the next date of hearing so that they should be heard, as to how, the said allegations have been made in the review application which have been supported by their affidavits, so as to further proceed with the matter.

10. At this stage, learned counsel for the review applicant requested for a short Passover so as to seek proper instructions from the officers concerned.

11. After Passover of the matter, learned counsel for the review-applicant appears and submits he has specific instructions from the concerned officers not to press the present review applications seeking review of the order dated 04.02.2025 and the same may kindly be disposed of as such. .

12. Though, this Court intended to pursue the matter so as to take the same to the logical end with regard to the certain averments made in the review petition and also filing an affidavit to support such averments, but taking the lenient view is being taken as learned counsel for the petitioner has informed this Court that he has instructions not to press the present



review petition any further and the same may be disposed of as such. Accordingly, no further action is not being taken. The officers concerned should be vigilant while filing the review petition as to what averments are being made by them and what affidavits is being filed by them in the Court .

13. In view of the statement made by learned counsel for the review applicant recorded herein above, the review applications are disposed of having been not pressed any further.

14. Pending civil miscellaneous application, if any, stands disposed of.

15. A photocopy of this order be placed on the file of connected case.

**(HARSIMRAN SINGH SETHI)
JUDGE**

09.04.2025

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