

2025.PHHC.177684



208

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

\*\*\*\*\*

**CWP-22060-2024 (O&M)  
Date of Decision: 19.12.2025**

M/s Bholu Nath Mann Raj Through Its Proprietor Naresh Kumar

..... Petitioner

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Ms. Devika Kamboj, Advocate for  
Mr. Vikram Singh, Advocate  
for the petitioner.

Mr. Pankaj Mulwani, Senior DAG, Haryana.

Ms. Ridhi Bansal, Advocate,  
Mr. Viney Kumar, Advocate and  
Mr. Parth Sharma, Advocate  
for respondents No.3, 5 and 6.

\*\*\*\*\*

**HARSH BUNGER J. (ORAL)**

Petition herein is, *inter alia*, seeking a writ in the nature of Certiorari for setting aside orders dated 11.07.2024 (Annexure P-3) and 22.08.2024 (Annexure P-14), passed by respondent No.5 Food Corporation of India, against the petitioner-Firm, whereby the petitioner-Firm has been directed to replace Stack No.8A/07 of Rice Raw Grade-A (RRA), as the quantity of fortified rice kernels therein was found to

be 1.34%, and the said stock has consequently been declared as falling under the category of “beyond rejection limit stocks”.

2. A perusal of orders sheets reveals that on 18.10.2024, the following order was passed by a co-ordinate Bench of this Court:-

*“The issue raised in the present petition is that the supply made by the petitioner was declared BRL. Although the inspection report at the time of supply was in favour of the petitioner but the subsequent inspection report was against the petitioner.*

*The respondents have taken a stand that the certain official in connivance with the petitioner had accepted the stock which was beyond the BRL limit and the Authorities are taking appropriate action in accordance with law.*

*However, in the first round of litigation, when the respondents had issued a letter dated 11.07.2024, the petitioner had duly replied on 15.07.2024 and the same was disposed of by this Court vide order dated 02.08.2024 to pass an appropriate order after considering the response of the petitioner. Subsequently, the Authorities passed the impugned order dated 22.08.2024 Annexure P-14 reiterating their stand that the supply made by the petitioner detected as BRL in FRK refraction, therefore, the said stock cannot be accepted.*

*Formal notice of motion has not been issued, let the same be done.*

*Issue notice of motion for 24.10.2024.*

*Mr. Sunish Bindlish, Standing Counsel accepts notice on behalf of respondent No. 3-FCI and files a written statement in Court today, which is taken on record.*

*Copy of the same has been handed over to the counsel for the petitioner who seeks an accommodation to go through the same and address arguments.*

*However, learned counsel for the petitioner relies upon the order passed by a Co-ordinate Bench of this Court in an identical case bearing CWP-27111-2023 which is now fixed*

*for 08.11.2024 in which interim order has been passed for not taking an action against the petitioner in the above said CWP. Per contra, learned counsel for the respondents submits that the said case is on different footing and is distinguishable and hence, the interim granted in that case would not come to the rescue of the petitioner in the present case.*

*However, considering the fact that the contract of the petitioner was with the State Government, therefore, the response of the State would also be imperative and there is no representation on behalf of respondents No. 1, 2 and 4.*

*Since, the petitioner has pressed for grant of stay on the strength of the letter dated 16.09.2024, whereby, the respondent No. 4 is calling upon the petitioner to immediately replace the BRL stock and all his payments have been kept on hold, notice regarding stay be also issued and the petitioner is directed to serve respondents No. 1, 2 and 4 dasti as well.*

*To be taken up after urgent.”*

3. Today, learned counsel appearing for respondents No. 3, 5 and 6 (Food Corporation of India) submits that the present writ petition has been rendered infructuous inasmuch as BRL Stack No.8A/07 + FRRA (KMS 2023-24 – M/s Bhola Nath Mam Raj) has already been replaced by the concerned miller, and the Replacement Certificate as well as the Replacement Inspection Report have also been issued.

4. Learned counsel appearing on behalf of the petitioner submits that she has no instructions as regards the aforesaid submission made by learned counsel for respondents No.3, 5 and 6.

5. Be that as it may, keeping in view the submissions made by learned counsel for respondents No.3, 5 and 6, coupled with the fact that the petitioner-Firm has already replaced the stock in question, the present writ petition is disposed of as having been rendered infructuous.

6. However, in case of non-redressal of any of the grievances of

petitioner-Firm, it shall be at liberty to seek revival of this writ petition.

7. All pending application(s), if any, shall also stand closed.

19.12.2025

(HARSH BUNGER)  
JUDGE

Apurva

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No