

GAHC010044142025



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1316/2025

M/S 3479 N. N. SINGH SECURITY AGENCY
REPRESENTED BY ITS PROPRIETOR, COL. N. N. SINGH (RETIRED),
HAVING ITS REGISTERED OFFICE AT H/NO. 54, WARD NO. 31, UDAYAN
PATH, PRANTIK PATH BY-LANE, DWARAKA NAGAR, DISPUR, GUWAHATI-
781022. ADDRESS- A-5, AMERIGOG HEIGHTS, 9TH MILE, KHANAPARA,
NEAR CRPF CAMP, GATE NO. 2, ASSAM-781037.

VERSUS

THE FOOD CORPORATION OF INDIA AND 7 ORS
REPRESENTED BY ITS CHAIRMAN CUM MANAGING DIRECTOR, 16-20,
BARAKHAMBA ROAD, NEW DELHI-110001.

2:THE EXECUTIVE DIRECTOR (SECURITY)
FOOD CORPORATION OF INDIA
FCI HEADQUARTERS
16-20
BARAKHAMBA ROAD
NEW DELHI-110001.

3:THE EXECUTIVE DIRECTOR (ZONE)
FOOD CORPORATION OF INDIA
ZONAL OFFICE
NORTH-EAST
ULUBARI
GUWAHATI-781007.

4:THE GENERAL MANAGER (REGION)
FOOD CORPORATION OF INDIA
REGIONAL OFFICE
ASSAM REGION
G.S. ROAD

PALTAN BAZAR- 781008.

5:THE AREA MANAGER
FOOD CORPORATION OF INDIA
FCI
DO
JORHAT
CHANDRA BHAWAN
NEHRU PARK
JORHAT-781001.

6:THE DIVISIONAL MANAGER
FOOD CORPORATION OF INDIA
DIVISION OFFICE
JORHAT
FCI
DO
JORHAT
CHANDRA BHAWAN
NEHRU PARK
JORHAT-781001.

7:THE DIRECTOR GENERAL RESETTLEMENT
GOVT. OF INDIA
MINISTRY OF DEFENCE
DEPTT. OF EX-SERVICEMEN WELFARE
DIRECTORATE GENERAL RESETTLEMENT
WEST BLOCK-IV
R. K. PURAM
NEW DELHI-110066.

8:THE ADDITIONAL DIRECTOR GENERAL
DIRECTORATE RESETTLEMENT ZONE (EAST) DRZ(E)
MINISTRY OF DEFENSE
C/O HQ BENGAL SUB AREA
246 AJC BOSE ROAD
ALIPORE POST
KOLKATA-700027

Advocate for the Petitioner : MR. A R TAHBILDAR,

Advocate for the Respondent : SC, F C I, MRS. R DEVI (C.G.C.),DY.S.G.I.

Linked Case : WP(C)/289/2025

M/S 3479 N N SINGH SECURITY AGENCY
REPRESENTED BY ITS PROPRIETOR
COLONEL N. N. SINGH (RETIRED)
HAVING ITS REGISTERED OFFICE AT HOUSE NO. 54
WARD NO. 31
UDAYAN PATH
PRANTIK PATH BY LANE
DWARKA NAGAR
DISPUR
GUWAHATI-781022. SECOND ADD.- A-5
AMERIGOG HEIGHTS
9TH MILE
KHANAPARA
NEAR CRPF CAMP
GATE NO. 2
ASSAM-781037

VERSUS

THE FOOD CORPORATION OF INDIA AND 7 ORS
REPRESENTED BY ITS CHAIRMAN CUM MANAGING DIRECTOR
16-20
BARAKHAMBA ROAD
NEW DELHI-110001

2:THE EXECUTIVE DIRECTOR (SECURITY)
FOOD CORPORATION OF INDIA
FCI HEADQUARTERS
16-20
BARAKHAMBA ROAD
NEW DELHI-110001

3:THE EXECUTIVE DIRECTOR (ZONE)
FOOD CORPORATION OF INDIA
ZONAL OFFICE
NORTH-EAST
ULUBARI
GUWAHATI-781007

4:THE GENERAL MANAGAER (REGION)
FOOD CORPORATION OF INDIA
REGIONAL OFFICE
ASSAM REGION
G.S. ROAD
PALTAN BAZAR-781008

5:THE AREA MANAGER
FOOD CORPORATION OF INDIA
DISTRICT OFFICER-GUWAHATI
GUWAHATI-781007

6:THE DIVISIONAL MANAGER
FOOD CORPORATION OF INDIA
DIVISION OFFICE
GUWAHATI
MITRA BUILDING
ASHRAM ROAD
ULUBARI
GUWAHATI-781007

7:THE DIRECTOR GENERAL
RESETTLEMENT
GOVERNMENT OF INDIA
MINISTRY OF DEFENSE
DEPARTMENT OF EX-SERVICEMEN WELFARE
DIRECTORATE GENERAL RESETTLEMENT
WEST BLOCK-IV
R.K. PURAM
NEW DELHI-110066

8:ADDITIONAL DIRECTOR GENERAL
DIRECTORATE RESETTLEMENT ZONE (EAST) (DRZ(E))
MINISTRY OF DEFENSE
C/O HQ BENGAL SUB AREA
246 AJC BOSE ROAD
ALIPORE POST
KOLKATA-700027

Advocate for : MR. A R TAHBILDAR
Advocate for : SC
F C I appearing for THE FOOD CORPORATION OF INDIA AND 7 ORS

Linked Case : WP(C)/6549/2024

M/S 3479/ N N SINGH SECURITY AGENCY
REPRESENTED BY ITS PROPRIETOR
COLONEL N. N. SINGH (RETIRED)
HAVING ITS REGISTERED OFFICE AT HOUSE NO. 54
WARD NO. 31
UDAYAN PATH
PRANTIK PATH BY LANE

DWARAKA NAGAR
DISPUR
GUWAHATI- 781022
ADDRESS-2- A-5
AMERIGOG HEIGHTS
9TH MILE
KHANAPARA
NEAR CRPF CAMP
GATE NO.2
ASSAM- 781037

VERSUS

THE FOOD CORPORATION OF INDIA AND 7 ORS
REPRESENTED BY ITS CHAIRMAN CUM MANAGING DIRECTOR
16-20
BARAKHAMBHA ROAD
NEW DELHI- 110001

2:THE EXECUTIVE DIRECTOR (SECURITY)
FOOD CORPORATION OF INDIA
FCI HEADQUARTERS
16-20
BARAKHAMBHA LANE
NEW DELHI- 110001

3:THE EXECUTIVE DIRECTOR (ZONE)
FOOD CORPORATION OF INDIA
ZONAL OFFICE
NORTH-EAST
ULUBARI
GUWAHATI- 781007

4:THE GENERAL MANAGER (REGION)
FOOD CORPORATION OF INDIA
REGIONAL OFFICE
ASSAM REGION
G.S. ROAD
PALTAN BAZAR- 781008

5:THE AREA MANAGER
FOOD CORPORATION OF INDIA
DISTRICT OFFICE- NORTH LAKHIMPUR
LAKHIMPUR- 787001

6:THE DIVISIONAL MANAGER
FOOD CORPORATION OF INDIA

DIVISION OFFICE
NORTH LAKHIMPUR
K.B. ROAD
LAKHIMPUR- 787001

7:THE DIRECTOR GENERAL RESETTLEMENT
GOVERNMENT OF INDIA
MINISTRY OF DEFENSE
DEPARTMENT OF EX-SERVICEMEN WELFARE
DIRECTORATE GENERAL RESETTLEMENT
WEST BLOCK-IV
R.K.PURAM
NEW DELHI- 110066

8:ADDITIONAL DIRECTOR GENERAL
DIRECTORATE RESETTLEMENT ZONE (EAST) (DRZ(E))
MINISTRY OF DEFENSE
C/O HQ BENGAL SUB AREA
246 AJC BOSE ROAD
ALIPORE POST
KOLKATA- 700027

Advocate for : MR. S BANIK

Advocate for : SC

F C I appearing for THE FOOD CORPORATION OF INDIA AND 7 ORS

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

20.08.2026

Heard Shri S. Banik, learned Senior Counsel for the petitioners assisted by Shri AR Tahbildar, learned counsel in these cases. Also heard Shri PK Roy, learned Senior Counsel assisted by Shri B. Das, learned counsel for the FCI and Ms. R. Devi as well as Shri PS Bhattacharyya, learned CGC.

2. At the outset, Shri Roy, learned Senior Counsel for the FCI has submitted that in the meantime, 2 writ petitions on the same subject matter has been disposed of. In one case, WP(C)/5842/2021, an order has been passed on 26.02.2026 whereby the writ petition was dismissed giving the liberty to

approach a competent Civil Court. Such observation was made on the ground that the issue involve disputed questions of fact. So far as the second writ petition WP(C)/4014/2017 is concerned, the same was dismissed on withdrawal vide order dated 17.11.2023.

3. Shri Banik, learned Senior Counsel for the petitioners, on the other hand, has submitted that the facts perhaps were not projected in the proper manner in the aforesaid two cases. He has drawn the attention of this Court to a communication dated 07.12.2022 wherein the Director General had raised the issue to the Chairman & Managing Director, which is yet to be addressed. He has drawn the attention of this Court to the provisions of the contract under Clause XIII(b), as per which the contractor would be authorized to engage adequate staff to the satisfaction of the Area Manager. He has also submitted that the contract also provides for payment of reliving charge. The attention of this Court has also been drawn to Clause 13 of Annexure-A, as per which for staff engaged by the contractor, an identity card would be provided which would be countersigned by the FCI authorities. He submits that such an act would manifest the endorsement of the authorities for such engagement.

4. On the other hand, the learned Senior Counsel for the FCI has submitted that the impugned order clearly shows that engaged staff are more than the agreed numbers. He has clarified that so far as WP(C)/1316/2025 is concerned, the agreed numbers of staff was 26 whereas it is claimed that the engaged numbers were 31; in WP(C)/6549/2024 the agreed numbers of staff was 28 whereas it is claimed that the engaged numbers were 32 and in WP(C)/289/2025 the agreed numbers of staff was 52 whereas it is claimed that the engaged numbers were 59. He accordingly submits that the present claim is without any basis and the impugned order is justified.

5. Shri Banik, learned Senior Counsel for the petitioners has immediately responded that even if it is assumed for the sake of argument that the engagement of the number of staff over and above the agreed number is not justified, as per the understanding of the respondents, there cannot be any dispute in the matter of release of the amount to the agreed number of staff. He accordingly submits that appropriate direction be issued in this regard and also a liberty to the petitioners to raise the matter before the appropriate Civil Court for the numbers of staff which were beyond the numbers agreed upon.

6. Shri Roy, learned Senior Counsel for the FCI has submitted that it has to be established that extra numbers of staff were actually engaged by the contractor.

7. In view of the facts and circumstances, this writ petitions stand disposed of by directing that the respondent authorities shall not withhold the amount pertaining to the agreed number of staff and the same be released to the petitioners expeditiously and preferably within a period of 45 days from today. For the remaining number of staff, if engaged, the petitioners would have the liberty to approach the appropriate Civil Court. The petitioners would also require to establish that engagements of the additional staff were actually done. It is needless to state that if such an approach is made, the learned Civil Court proceed with the matter strictly in accordance with law.

JUDGE

Comparing Assistant