

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

DATE OF DECISION: APRIL 08, 2015

Kunal Agro Mill, Distt. Gurdaspur

.....Petitioner

VERSUS

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Pawan Kumar Mutneja, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of counsel for the petitioner that as on date nothing is to be recovered from the petitioner and in fact the petitioner is to be paid an amount of ₹ 26,67,256/- by the respondents. On the petitioner's insisting upon the release of the said amount, the respondents have come up with a communication dated 30.12.2014 (Annexure P-7), calling upon the petitioner to pay the amount due to be recovered from it, which, the counsel for the petitioner states is without any basis and justification. Petitioner has responded to the said communication vide letters dated 12.01.2015 and 16.01.2015 (Annexures P-8 and P-9 respectively). No decision thereon has been taken till date. He further states that as per the communication dated 30.12.2014 (Annexure P-7), the respondents have threatened to take action

against them and, therefore, contends that prior to the decision being taken on the replies submitted by the petitioner dated 12.01.2015 and 16.01.2015 (Annexures P-8 and P-9 respectively), no coercive steps may be initiated against it.

In view of the statement made by the counsel for the petitioner and without going into the merit of the case or commenting thereon, the present writ petition is disposed of with a direction to the respondents to consider and decide the replies dated 12.01.2015 and 16.01.2015 (Annexures P-8 and P-9 respectively) by passing a speaking order. If no action, as of now, has been taken in pursuance to the communication dated 30.12.2014 (Annexure P-7), the same be deferred till a decision is taken on the replies dated 12.01.2015 and 16.01.2015 (Annexures P-8 and P-9 respectively). Decision so taken be conveyed to the petitioner forthwith.

April 08, 2015
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE