

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

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Civil Writ Petition No.7307 of 2015

Date of Decision: April 22, 2015

The Nav Bharat Co-operative L&C Society

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rajesh Kumar Girdhar, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court alleging non-payment of an amount of ₹52,34,470/- relatable to three works i.e. (1) providing Rural Water Supply Scheme for village Chhit, Purian Khurd and Khokhar Fouji in Block Batala, District Gurdaspur (2) providing Rural Water Supply Scheme for village Purian Khurd (MH-PC), Block Batala, District Gurdaspur, (3) providing Rural Water Supply Scheme for village Khokhar Fouji (MH-PC), Block Batala, District Gurdaspur. The works were allotted to him vide Memo Nos.4963, 5867 and 5861 dated 06.08.2013, 26.05.2014 and 26.05.2014 respectively. The 1st work was executed by the petitioner and was completed in July, 2014. Qua 2nd and 3rd work, 95% of the work has been completed, for which the petitioner is entitled to payment. The total amount payable to the petitioner is ₹52,34,470/- but the same has not been released till date. The petitioner has approached the respondents on number of occasions. When nothing was heard from the respondents, petitioner filed representations dated 29.01.2015 and 01.04.2015 (Annexures P-2 and P-3

respectively) to respondent No.3-The Executive Engineer, Water Supply and Sanitation Division, Batala, District Gurdaspur. Counsel for the petitioner states that no decision thereon till date has been taken or conveyed to the petitioner.

Counsel for the petitioner states that the petitioner, at this stage, will be satisfied if a direction is issued to respondent No.3, to consider and decide the representation dated 01.04.2015 (Annexure P-3) within some specified time.

In view of the statement made by the counsel for the petitioner, without going into the merits of the case or commenting thereon, the present writ petition is disposed of with direction to respondent No.3-The Executive Engineer, Water Supply and Sanitation Division, Batala, District Gurdaspur to consider and decide the legal notice dated 01.04.2015 (Annexure P-3), within a period of three months from the date of receipt of certified copy of this order.

In case the claim of the petitioner is accepted, the consequential benefits, if any, be released to him, in accordance with law, within a further period of six weeks. In case the claim of the petitioner is not to be accepted, a well reasoned and speaking order be passed and conveyed to the petitioner forthwith.

April 22, 2015
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE