

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

DATE OF DECISION: APRIL 30, 2015

M/s Inder Pal & Company, Panchkula

.....Petitioner

VERSUS

State of Haryana 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. P. S. Rana, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of counsel for the petitioner that after the completion of work assigned to the petitioner in the year 2010, the liability period whereof expired in the year 2012, the security deposited by the petitioner in pursuance of the conditions of contract, amounting to ₹13,28,785/- has not been released to it. The petitioner had been approaching the respondents for the release of said amount unsuccessfully and in support of this he has placed reliance upon the representations dated 25.09.2012, 12.10.2012, 20.11.2012 and 14.12.2012, Annexures P-2 to P-5 respectively. Even the Executive Engineer, Provl. Division, Panchkula-respondent No.2 has asked the Superintending Engineer, Chandigarh Circle-respondent No.1 for approval for releasing the performance security and

deposit of the contractual agency i.e. the petitioner by communication dated 03.04.2013 (Annexure P-6) but that also has not yielded any result. Petitioner thereafter had also moved another representation dated 29.08.2013 (Annexure P-7) to respondent No.1 and in pursuance thereof, it appears that a hand receipt has been prepared, copy of which has been appended as Annexure P-9, but the amount has still not been released.

Counsel contends that the petitioner, at this stage, would be satisfied if a direction is issued to the respondents to release the security deposit amounting to ₹13,28,785/- within some specified time.

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 directions to the respondents to consider the claim of the petitioner with regard to release of its security deposit amounting to ₹13,28,785/- and if there is no impediment, release the same within a period of four weeks from the date of receipt of certified copy of this order.

April 30, 2015
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE