

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

DATE OF DECISION: MAY 18, 2015

**M/s The Khanaura Bharat Co-op. Labour & Construction Society Ltd.,
Hoshiarpur**

.....Petitioner

VERSUS

Municipal Council, Distt. Hoshiarpur

....Respondent

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. Raman Sharma, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the petitioner contends that the petitioner-Society had carried out the construction work, for which the payments have been released. Even part payment of security amount has also been released. However, an amount of ₹ 2,81,000/- of security amount is still pending towards the respondent-Municipal Council, Shamchaurasi, District Hoshiarpur. The petitioner, while claiming the refund of balance security amount alongwith interest, has served a legal notice dated 27.09.2013 (Annexure P-4) upon the respondent, which has not been responded to till date.

Counsel contends that the petitioner, at this stage, would be satisfied if a direction is issued to the Executive Officer, Municipal Council,

Shamchaurasi, District Hoshiarpur-respondent to consider and decide the legal notice dated 27.09.2013 (Annexure P-4) filed by the petitioner, 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 Executive Officer, Municipal Council, Shamchaurasi, District Hoshiarpur-respondent to consider and decide the legal notice dated 27.09.2013 (Annexure P-4) within a period of two months from the date of receipt of certified copy of this order. Decision so taken be conveyed to the petitioner forthwith.

In case the claim of the petitioner is accepted, the consequential benefits, if any, be released to it, in accordance with law, within a further period of four weeks.

May 18, 2015
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE