

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

CWP No. 6000 of 2017

Date of decision: 23.3.2017

A2Z Infra Engineering Limited

Petitioner

vs.

State of Punjab and others

Respondents

Present: Mr. Gautam Dutt, Advocate and
Mr.Kunal Dawar, Advocate for petitioner.

M.M.S.BEDI,J.

Through the instant writ petition, the petitioner seeks a writ in the nature of mandamus directing respondents 3 to 5, three co-operative sugar mills, to extend the concession period as provided in Clause 5 of agreements dated 12.1.2009 (Annexures P-2 to P-4) for a period of five years in view of Clause 15.8, which specifically provides for extension of concession period in view of Force Majeure Events.

Without expression of any opinion on merits of the case whether the petitioner has got enforceable legal right to claim the extension of concession period, I deem it expedient in the interest of justice to issue a direction to respondents 3 to 5 to look into the claim of the petitioner. The petitioner has already submitted representations dated 27.6.2015 and 28.12.2015 Annexures P-10 and P-11 respectively for extension of concession period and for amendment of provisions of the agreement dated 12.1.2009.

The writ petition is disposed of with a direction to respondents 3 to 5 to consider the above said representations of the petitioner within a period of three months, after the receipt of a certified copy of this order. If any order has already been passed on the basis of the said representations, the same be communicated to the petitioner. It will be the responsibility of the petitioner to communicate the present order passed by this Court to respondents 3 to 5.

March 23 ,2017
TSM

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned
Whether Reportable

Yes/ No
Yes/ No