

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

**CWP-6577-2017 (O & M)
Date of decision: 05.07.2017**

Prem Pal Bathla

....Petitioner

V/s

State of Punjab and ors.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Arun Sharma, Advocate, for Mr. Navdeep Chhabra,
Advocate, for the petitioner.

Mr. Aditya Shardha, AAG, Punjab.

Rajan Gupta, J. (Oral)

Reply filed on behalf of the State in court today, is taken on record. Learned State counsel, at the outset, submits that the payment has been released to the petitioner. He refers to Para 02 thereof. Same reads as under:-

“That the averment made in para no.2 of the writ petition it is submitted that the claim of the petitioner/contractor has already been considered by the department and the bill of the petitioner was submitted to the Treasury Office, Fazilka vide this office bill no.1056 dated 10.10.2016 amounting to Rs.11,59,239/-. But the payment of the above said bill could not released by the Treasury Office, Fazilka as per govt. instructions to the same effect and budget allotment for the financial year 2016-17 got lapsed. Now the bill of the petitioner has again been submitted to the Treasury Office, Fazilka vide bill no.1009 dt.26.04.2017 for releasing the payment in favour of the petitioner/contractor. The respondent

No.4 released the payment to the petitioner on Dt.21.06.2017 by way of RTGS and now there is no claim of the petitioner with the respondent no.1 to 4 regarding the work in question”.

In view of the above, no cause of action survives in this petition.

Same is dismissed as having been rendered infructuous.

Petitioner shall, however, be at liberty to seek revival of the petition, in case, any cause of action survives.

July 05, 2017
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No