

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1.

CWP-418-2018

Date of decision : 23.04.2018.

***THE NAVYUG COOP LABOUR AND CONSTRUCTION SOCIETY
LTD BATHINDA THR PRESIDENT SUBHASH CHANDER***

... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

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CWP-1034-2018

***THE KAMALU COOP LABOUR AND CONSTRUCTION SOCIETY
LTD THR ITS PRESIDENT JASWINDER SINGH***

....Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

3.

CWP-2240-2018

***THE HEMKUND COOP LABOUR AND CONSTRUCTION SOCIETY
LTD THR PRESIDENT BIMLESH RANI***

... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

4.

CWP-2245-2018

HEMKUND COOP L&C SOCIETY

. ... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

5.

CWP-2323-2018

SURESH KUMAR

. ... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

6.

CWP-2287-2018

***THE HEMKUND COOP LABOUR AND CONSTRUCTION SOCIETY
LTD THR PRESIDENT BIMLESH RANI***

. ... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

7.

CWP-3093-2018

***KAMALU COOPERATIVE LABOUR AND CONSTRUCTION
SOCIETY LTD. THRU JASWINDER SINGH***

. ... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

8.

CWP-3127-2018

LACHHMAN DASS CONTRACTOR

. ... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

CWP-418-2018 and 52 other connected matters

9. **CWP-3129-2018**
DAMDAMA COOPERATIVE LABOUR AND CONSTRUCTION
SOCIETY LTD. TALWANDI SABO THRU RAM KUMAR
. ... *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
10. **CWP-3158-2018**
NAVYUG COOPERATIVE LABOUR AND CONSTRUCTION
SOCIETY LTD. BATHINDA THRU SUBHASH CHANDER
. ... *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
11. **CWP-3159-2018**
LACHHMAN DASS CONTRACTOR
. ... *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
12. **CWP-3408-2018**
THE EXCELSIOR COOPERATIVE LABOUR AND CONSTRUCTION
. ... *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
13. **CWP-3434-2018**
THE HEMKUND COOPERATIVE AND CONSTRUCTION... *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
14. **CWP-3452-2018**
SURESH KUMAR
. ... *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
15. **CWP-3454-2018**
THE EXCELSIOR COOPERATIVE LABOUR AND CONSTRUCTION
. ... *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
16. **CWP-3457-2018**
THE SHAJRANA COOPERATIVE LABOUR AND CONSTRUCTION
SOCIETY LTD
. ... *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
17. **CWP-3546-2018**
THE RAMGARHIA COOPERATIVE LABOUR AND CONSTRUCTION
SOCIETY LTD THRU ITS PRESIDENT
..... *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*

CWP-418-2018 and 52 other connected matters

18. **CWP-3548-2018**
M/S ISHANT CONSTRUCTION COMPANY *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
19. **CWP-3551-2018**
THE SURAJ COOPERATIVE LABOUR AND CONSTRUCTION SOCIETY LTD *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
20. **CWP-3581-2018**
BAHAL SINGH (CONTARCTOR) *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
21. **CWP-3827-2018**
M/S R K GOVT CONTRACTOR THROUGH ITS SOLE PROP*Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
22. **CWP-3828-2018**
THE KOT BAKHTU COOP LABOUR AND CONSTRUCTION SOCIETY LTD *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
23. **CWP-3836-2018**
THE SHRI GURU RAVIDAS JI COOP L & C SOCIETY ... *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
24. **CWP-3837-2018**
THE KOT BAKHTU COOP LABOUR AND CONSTRUCTION SOCIETY LTD *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
25. **CWP-3852-2018**
THE KOT BAKHTU COOP LABOUR AND CONSTRUCTION SOCIETY LTD *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
26. **CWP-3854-2018**
M/S R K GOVT CONTRACTOR THROUGH ITS SOLE PROP ... *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*

CWP-418-2018 and 52 other connected matters

**27. CWP-5573-2018
THE HEMKUND COOPERATIVE LABOUR AND CONSTRUCTION
SOCEITY LTD THR PRESIDENT BIMLESH RANI**

.... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

**28. CWP-5589-2018
THE FRIENDS COOPERATIVE LABOUR AND CONSTRUCTION
SOCIETY LTD THR PRESIDENT LAL SINGH**

. ... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

**29. CWP-5600-2018
THE JAWAHARKE COOPERATIVE LABOUR AND CONSTRUCTION
SOCIETY LTD THR PRESIDENT AMIT KUMAR**

. ... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

**30. CWP-5692-2018
ROHIT GARG CONTRACTOR**

. ... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

**31. CWP-6066-2018
SURESH KUMAR**

. ... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

**32. CWP-6091-2018
THE JAWAHARKE COOPERATIVE LABOUR AND CONSTRUCTION
SOCIETY LTD THR PRESIDENT AMIT KUMAR**

. ... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

**33 CWP-6319-2018
THE CHOUHAN CO-OPERATIVE LABOUR AND CONSTRUCTION
SOCIETY LTD**

. ... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

**34. CWP-6320-2018
THE HAZURA KAPURA CO-OPERATIVE LABOUR AND
CONSTRUCTION SOCIETY LTD**

. ... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

CWP-418-2018 and 52 other connected matters

35. **CWP-6325-2018**
PARKASH CHAND *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
36. **CWP-6410-2018**
THE TAJ CO-OPERATIVE LABOUR AND CONSTRUCTION SOCIETY LTD ... *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
37. **CWP-6433-2018**
RAJINDER SINGH *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
38. **CWP-6445-2018**
RAJINDER SINGH *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
39. **CWP-6447-2018**
THE CHOUHAN CO-OPERATIVE LABOUR AND CONSTRUCTION SOCIETY LTD *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
40. **CWP-6465-2018**
THE HAZURA KAPURA CO-OPERATIVE LABOUR AND CONSTRUCTION SOCIETY LTD *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
41. **CWP-5134-2018**
THE GURU GOBIND SINGH NAGAR COOPERATIVE LABOUR AND CONSTRUCTION SOCIETY LTD. ...*Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
42. **CWP-5135-2018**
PANKAJ KUMAR *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
43. **CWP-5194-2018**
THE DHINGER CO-OPERATIVE LABOUR AND CONSTRUCTION SOCIETY LTD *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*

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44. **CWP-5199-2018**
THE DHINGER CO-OPERATIVE LABOUR AND CONSTRCTION
SOCIETY LTD *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
45. **CWP-5200-2018**
THE DHINGER CO-OPERATIVE LABOUR AND CONSTRCTION
SOCIETY LTD *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
46. **CWP-5201-2018**
THE DHINGER CO-OPERATIVE LABOUR AND CONSTRCTION
SOCIETY LTD *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
47. **CWP-5203-2018**
THE GURU GOBIND SINGH NAGAR COOP. LABOUR &
CONSTRUCTION SOCIETY LTD. *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
48. **CWP-5204-2018**
THE JAGGA RAM TIRATH COOPERATIVE LABOUR
. ... *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
49. **CWP-5205-2018**
THE BATHINDA NAMDEV NAGAR COOP. LABOUR &
CONSTRUCTION SOCIETY LTD. *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
50. **CWP-5207-2018**
THE CHUGHE KHUR CO-OPERATIVE LABOUR &
CONSTRUCITON SOCIETY LTD. *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
51. **CWP-5208-2018**
THE BHUCHO KALAN CO-OPERATIVE LABOUR AND
CONSTRUCTION SOCIETY LTD. *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*
52. **CWP-5209-2018**
GURBAX SINGH *Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS ...*Respondents*

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53.

SURESH KUMAR

CWP-2319-2018

. ... Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

...Respondents

Present: Mr. Munish Bansal, Advocate,
for the petitioner(s) in all the petitions.

Mr. H.S. Sitta, AAG, Punjab.

Mr. S.S. Dhaliwal, Mr. Aman Sharma and
Mr. S.S. Bedi, Advocates
for respondent-Punjab Water Resources Management and
Development Corporation.

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RAKESH KUMAR JAIN, J. (Oral)

This order shall dispose of a bunch of 53 writ petitions mentioned above in which the petitioner(s), in all the writ petitions, have made the same prayer under Article 226/227 of the Constitution of India for issuance of a writ of mandamus directing the respondent-Punjab Water Resources Management and Development Corporation (for short 'the Corporation') to release payment due to them for the work executed on their behalf.

Learned counsels appearing on behalf of the respondent-Corporation have admitted their liability towards the petitioner(s) with regard to their payments but it is stated that the Corporation would make the payment as and when it would receive the necessary funds. It is also submitted that there may be a difference of opinion about the amount claimed by the petitioner(s) which shall be decided/sorted out after associating the petitioner(s).

Since, the petitioner(s) have prayed for a writ in the nature of mandamus which can be issued by this Court only if there is a right vested with the petitioner(s) and there is a corresponding duty on the part of the

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respondent-Corporation and in the present case, neither the rights of the petitioner have been denied nor the respondent-Corporation has denied their its liability, therefore, keeping in view the aforesaid facts and circumstances, present bunch of writ petitions are hereby disposed with a direction to the respondent-Corporation to release the payment to the petitioners, in which there is no dispute, within four months from the date of receipt of certified copy of this order. In case, where there is some dispute raised by them then the respondent-Corporation would associate the petitioner(s) for the purpose of sorting out the said dispute and shall make the payment accordingly.

A photocopy of this order be placed on the files of the connected cases.

April 23, 2018

Suresh Kumar

**(RAKESH KUMAR JAIN)
JUDGE**

Whether speaking / reasoned :	✓		
	Yes	/	No
Whether Reportable :	Yes	/	No