

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CIVIL WRIT PETITION NO.745 OF 2019

DATE OF DECISION: JANUARY 14, 2019

The National Co-operative Labour and Construction Society
.....Petitioner

Versus

The State of Punjab and others
.....Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present: Ms.Ruchi Sekhri, Advocate for the petitioner.

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TEJINDER SINGH DHINDSA, J.

It is averred that the petitioner-Society is a registered Labour and Construction Society. In the year 2016, Municipal Corporation, Ludhiana invited e-tenders for maintenance of tubewells, disposal and maintenance of sewerage lines etc. Total 9 work orders are stated to have been awarded in favour of the petitioner-Society having participated in the e-tender process. The details of such work orders have been furnished in a tabulation contained in para 2 of the writ petition.

The precise grievance set forth in the instant petition is that even though the work having been executed in complete and the bill having already been verified and approved by the Executive Engineer concerned, the complete payments have not been released.

Counsel adverts to the averments made in para 8 of

the writ petition and as per which, the total outstanding amount due to the petitioner-Society is 2,63,00,000/- (two crores and 63 lakhs) approximately.

It is argued that the respondent-Municipal Corporation is a State instrumentality and would be bound to release the payments in lieu of work that it awarded to the petitioner-Society and upon culmination of the same.

Without even ascertaining the correctness of the averments made in the petition and without going into the merits of the case, I deem it appropriate to dispose of the instant writ petition in terms of granting liberty to the petitioner to file a comprehensive representation/claim before respondent No.3 i.e. Commissioner, Municipal Corporation, Ludhiana within a period of ten days from today. In the eventuality of any such representation/claim being filed by the petitioner-Society, respondent No.3 would be obligated to consider the same strictly as per law and to take a final decision thereupon within a period of six weeks thereafter.

Disposed of.

JANUARY 14, 2019
SRM

(TEJINDER SINGH DHINDSA)
JUDGE

Note:	<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
	<i>Whether Reportable:</i>	<i>Yes/No</i>