

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

CWP No.5403 of 2019
Date of decision:-28.02.2019

The Laut Cooperative L & C Ltd., Patiala

.....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present:- Mr. Rajdeep Singh Gill, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner is a Cooperative Labour and Construction Society.

Counsel submits that vide work order No.5 dated 06.07.2018 (Annexure P-1) issued by the Executive Engineer, Work Patiala Drainage Division, Patiala, following work was awarded in favour of the petitioner:-

“Clearance of Booty, weed Jala and sarkanda, obstruction from the bed and side slope of Nabha Drain RD-0-85500 of Mehalgwara Drain RD-0/50500 before the flood season 2018.”

The short grievance raised in the petition is that inspite of the work having been completed, the requisite payment amounting to Rs.13,00,000/-approximately has not been released till date. Counsel argues that the action of the respondent authorities is arbitrary and the amount in question has been with-held without any justifiable basis.

Counsel further submits that even a legal notice dated 11.01.2019 has been served and he would be satisfied if the writ petition is to be disposed of in terms of issuance of directions to the competent

authority to examine the claim of the petitioner within a stipulated time frame.

Prayer made by counsel is found to be just and reasonable.

In view of the above and without even ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the writ petition with a direction to respondents No.2 i.e. Chief Engineer, Sinchai Bhawan, Sector 18-C, Madhya Marg, Chandigarh, to examine the claim of the petitioner in the backdrop of a legal notice dated 11.01.2019 (Annexure P-3) and to take a final decision thereupon expeditiously and in any case within a period of eight weeks from the date of receipt of certified copy of this order.

Needless to observe that if any amount is found due to the petitioner, the same would be released without any further delay.

It is clarified that this Court has not examined the claim of the petitioner on merits.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

28.02.2019

shweta

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No