

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-5494-2019 (O&M)
Date of Decision: 28.02.2019

The Forward India Co-op L & C Society Ltd.

--Petitioner

Versus

State of Punjab and others

--Respondents

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

Present:- Mr. T.P.S. Makkar, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J (Oral)

Petitioner is stated to be an A Class Govt. Contractor. On 09.11.2015 the work of construction of the Toe Wall on the bridge and side drain of Faridkot-Ferozepur Road was allotted to the petitioner vide memo dated 9.11.2015 issued by the competent authority under the Punjab P.W.D (B&R) Branch, Faridkot.

Counsel submits that the work commenced on 9.11.2015 and was to be completed by 11.5.2016 but the work was stopped in between on the instructions of the respondent-department. The second and final bill for an amount of Rs.7,60,000/- approximately was prepared and out of which an amount of Rs.5,32,420/- was released but the remaining amount of Rs.1,98,396/- has not been released. Counsel argues that the action of the respondent authorities is arbitrary and the amount in question is withheld without any justifiable basis.

Counsel makes a prayer that a representation dated 4.7.2018 (Annexure P-3) has already been submitted and he would be satisfied if the writ petition was to be disposed of with a direction to take action thereupon 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 same by directing respondent no.3 i.e. the Executive Engineer, Provincial Division, PWD (B&R) Branch, Faridkot to examine the claim of the petitioner against the backdrop of the representation dated 4.7.2018 (Annexure P-3) and a final decision be taken expeditiously and in any case within a period of eight weeks from the date of receipt of a certified copy of this order.

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

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

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

28.02.2019

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