

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

**CWP-19413-2019 (O&M)
Date of Decision:18.07.2019**

M/s Sushil Kumar Contractor

... Petitioner

Versus

The Punjab State Coop. Supply & Marketing Federation Ltd. & others

... Respondents

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

Present: Mr. R.K. Girdhar, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

As per pleadings on record, petitioner is a Government Contractor. The work order of construction of a Children Home at Ludhiana was allotted to the petitioner by the Punjab State Cooperative Supply & Marketing Federation Limited (MARKFED).

The short grievance raised in the instant petition is that inspite of the work in question having been executed and completed, the security amount deducted from the bills of the petitioner i.e. Rs.8,30,918/- has not been released till date.

The categoric contention made by counsel is that the work was completed on 20.06.2017 and the defect liability period was expired on 19.06.2018 and inspite of no defect having been pointed out and a recommendation having already been made, the security amount has not been released. Action is stated to be grossly unfair and arbitrary.

Further submission is made that a representation dated 29.04.2019 (Annexure P-4) has already been submitted before the competent

authority and he would be satisfied if the instant writ petition was to be disposed of with a direction to take a final decision thereupon within a stipulated time frame.

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

In view of the above and without ascertaining the correctness of the averments made in the petition and without even going into the merits of the claim raised by the petitioner, I deem it appropriate to dispose of the instant writ petition with a direction to respondent No.1 i.e. the Managing director, The Punjab State Cooperative Supply and Marketing Federation Limited to examine the claim of the petitioner against the backdrop of a representation dated 29.04.2019 (Annexure P-4) and to take a final decision thereupon expeditiously and in any case within a period of eight weeks from the date of receipt of a certified copy of this Court.

Needless to observe that in case any outstanding amounts/funds are found due, the necessary funds would be released to the petitioner without any further delay.

Disposed of.

18.07.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |