

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

**CWP-23789-2019 (O&M)
Date of Decision:02.09.2019**

Janta Dhalleke Coop. L&C Society Ltd.

... Petitioner

Versus

State of Punjab & others

... Respondents

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

Present: Mr. V.K. Shukla, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

Petitioner is stated to be a Labour and Construction Society.

As per averments on record, a number of works were allotted to the petitioner/Society by the Nagar Council, Badhni Kalan, District Moga and the details of which have been furnished in para 2 of the writ petition.

Short grievance raised in the instant petition is that inspite of the works in question having been executed and completed, a principal amount in lieu of the work has been released but a security amount of Rs.1,91,046/- has not been released.

As per counsel, the security amount afore noticed would be 5% of the principal amount.

Counsel argues that the action of the respondent/authorities in having withheld the security amount is arbitrary and without any justifiable basis.

Further submission is made that a notice of demand dated 01.06.2019 (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.3 i.e. the Executive Officer, Nagar Council, Badhni Kalan, District Moga and to examine the claim of the petitioner against the backdrop of a notice of demand dated 01.06.2019 (Annexure P-4) and to take a final decision thereupon expeditiously and in any case within a period of three months 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.

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

Disposed of.

02.09.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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