

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-36016-2019

Date of Decision:-12.12.2019.

The Batala Urban Estate Co-operative L&C Society Ltd.

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Jagjeet Singh, Advocate for the petitioner.

SANJAY KUMAR, J. (Oral)

The prayer of the petitioner-Society is to direct the respondents, the Municipal authorities of Gurdaspur in the State of Punjab, to release the sum of ₹ 66,262/-, which was allegedly deducted towards a security deposit in relation to construction of shops at Langah, Market Dhariwal, undertaken by the petitioner-Society.

Perusal of the record reflects that this work was executed, even as per the claim of the petitioner-Society, in the year 2001-02. The vigilance case registered in relation to this work is stated to have culminated in the year 2012, whereby a clean chit was given to those against whom allegations had been made.

Mr. Jagjeet Singh, learned counsel for the petitioner, fairly concedes that he has no document in proof of the subject construction work

him, the records of the petitioner-Society were destroyed in a fire accident and that is the reason why the petitioner-Society is not in a position to produce any document in relation thereto. However, no such averment is found in the petition. That apart, even if the claim of the petitioner-Society is taken to have crystallized in the year 2012, there is no explanation forthcoming as to why no effective steps were taken for recovery of the amount till 2019. The claim of the petitioner-Society, even if well-founded on facts, would be barred by the law of limitation. Be it viewed from any angle, this Court finds no grounds to entertain this writ petition.

The writ petition is accordingly dismissed *in limine*.

No order as to costs.

(SANJAY KUMAR)
JUDGE

December 12, 2019.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.