

CWP No. 4841 of 2020 1

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

**CWP No. 4841 of 2020
Date of Decision:24.02.2020**

M/s Gangsar Transport Company

.....Petitioner

Versus

Food Corporation of India

..... Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Anurag Chopra, Advocate
for the petitioner.

Mr. KK Gupta, Advocate
for the respondent.

LISA GILL, J(Oral).

The petitioner, is aggrieved of the action of the respondents in not releasing the bank guarantee and security amount, which was deposited by it pursuant to letter dated 18.08.2015 (Annexure P-1).

It is submitted that part of the work was carried out i.e., for a period of one month and payment for this period has been released. FIR No. 313 dated 21.10.2015, under Sections 420, 467, 468, 471, 120-B, 511 IPC, Police Station, Sector-31, Chandigarh, was registered, but complicity of the petitioner/ its partner, was not found and the matter was filed as untraced. Learned counsel further submits that the petitioner has been carrying out the work for the authorities subsequently, as well and has been paid in accordance with law. However, bank guarantee and the security deposited, pursuant to letter dated 18.08.2015, Annexure P-1, is not being released in

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an illegal and unjustified manner, despite legal notice dated 05.02.2020, being served upon the respondents.

At this stage, Mr. K.K.Gupta, Advocate, learned counsel for the respondent, submits that the matter, after receipt of legal notice dated 05.02.2020, is under consideration and shall be decided within three weeks.

Keeping in view the facts and circumstances as above and in view of the stand taken of the respondent, as above, no further order is called for, at this stage. Needless to say, legal notice dated 05.02.2020, be decided by the competent authority, within a period of three weeks from the date of receipt of certified copy of this order by passing a speaking order. In case, the amount in question is found due towards the petitioner, the same be released within two weeks thereafter.

This writ petition is accordingly disposed of.

24.02.2020
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.