

222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(Proceedings through Video Conferencing)

CM No.9900 of 2020 in/and
CWP No.12913 of 2020
Date of Decision:10.11.2020

NAVDEEP SINGH

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..Respondents

CORAM :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Rushil Sharma, Advocate for
Mr. Navjot Singh, Advocate for the petitioner.

Mr. Pankaj Gupta, Addl. AG, Punjab.

DAYA CHAUDHARY, J. (ORAL)
CM No.9900 of 2020

This application has been filed under Order 1 Rule 10 read with Section 151 of the CPC for seeking amendment in the memo of parties while averring that in-advertently, the main petition has been filed while naming the President of the society as the petitioner whereas it was the society which is required to sue through its President.

Learned State counsel submits that he has no objection if the present application is allowed.

Accordingly, the same is allowed and amended memo of parties as annexed with this application, is taken on record.

Main case

Prayer in the present petition is for issuance of a writ in the

nature of mandamus directing the official respondents to refund the security amount deposited by the petitioner with them in respect of E-tender/M.C/Bhadaur/2017-18. A further prayer has also been made for directing the official respondents to pay the interest on delayed payment.

Nothing has come on record as to whether any representation has been moved by the petitioner to the respondent authorities for seeking the said relief. Writ of mandamus cannot be issued when the petitioner has not approached the concerned authorities as neither any representation nor any request has been shown to have been made by him in this regard.

Accordingly, we deem it appropriate to dispose of the present petition with the direction to the petitioner to make detailed representation before the appropriate authority within a period of 2 weeks from the date of the receipt of the certified copy of this order. In case, such representation is moved, the respondent authorities are directed to take necessary action thereon in accordance with law and decide the same within a period of 4 weeks thereafter.

Disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

November 10, 2020

Jyoti-IV

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No