

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-15945-2020 (O&M)
Date of Decision:-13.10.2020

The Mehtabgarh Co-Operative Labour & Construction Society Ltd.

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Charu Sharma, Advocate for the petitioner.

Mr. Rana Harjasdeep, DAG, Punjab.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

CM-10469-CWP-2020

In view of the reasons mentioned in the application, the same is allowed and the memo of parties is ordered to be corrected. The amended memo of parties annexed with the application is taken on record.

CWP-15945-2020

1. The petitioner was allotted construction work pursuant to opening of tender floated by the respondents. It is averred that the entire construction work allotted to the petitioner has been completed and infact a substantial amount of payment has also been made but an amount of ₹4,59,749/- still remains unpaid despite the petitioner having represented vide representation dated 26.7.2019 (Annexure P-2).

2. Having heard the learned counsel for the petitioner and while refraining from making any expression as regards merits of the case, the petition is disposed of with a direction to respondent No.2-The Executive Engineer, Department of Panchayati Raj, Public Works Division, Kapurthala to consider and take appropriate action upon the petitioner's representation dated 26.7.2019 (Annexure P-2). This exercise shall be completed expeditiously and in any event, not later than six weeks from the date of receipt of a certified copy of this order.
3. In the event respondent No.2-The Executive Engineer, Department of Panchayati Raj, Public Works Division, Kapurthala finds that the dues as claimed by the petitioner concerned are lawful, payment shall be made within six weeks thereafter. Any belated payment beyond the stipulated period shall carry interest @ 6.5 % per annum from the date of completion of the work till payment. On the other hand, if respondent No.2-The Executive Engineer, Department of Panchayati Raj, Public Works Division, Kapurthala finds that the petitioner is not entitled to the dues, as claimed by it, a speaking order shall be passed and communicated to the petitioner concerned.
4. At this stage, Mr. Rana Harjasdeep, DAG, Punjab, upon whom an advance copy of petition had already been served, has assured that the needful shall be done as per rules in compliance of the aforesaid order.

13.10.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No