

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

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**CWP No. 16533 of 2020
Date of decision: 8.10.2020**

**THE HEERKE PATTI CO-OP L AND C SOCIETY LTD
THROUGH ITS CASHIER**

.....Petitioner

Vs

STATE OF PUNJAB AND ORS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Munish Bansal, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner has preferred this writ petition for issuance of a suitable writ, order or direction especially in the nature of mandamus directing the respondents to make payment of Rs.93,053/- qua the works executed by the petitioner along with interest @ 18% p.a.

Learned counsel for the petitioner submits that the petitioner has already executed various work assignments given to him from time to time. The details of the work have been

enumerated in para No.2 of the petition. Petitioner has already submitted bills for the completed work after getting the necessary measurements done from the concerned authority. Despite the aforesaid legal formalities, the payment has not been released to the petitioner.

Precisely, for the grievance in question, petitioner has already issued a legal notice dated 12.1.2020 (Annexure P-2) to respondent No.4, but the same has not been adverted to by the authority till date.

Notice of motion.

On the asking of Court, Mr.Nikhil Chopra, Addl.A.G., Punjab accepts notice on behalf of the respondents.

In view of nature of order, which this Court proposes to pass there is no necessity of calling upon any response at this stage, as no order prejudicial to the interest of respondents is being passed.

In view of above, without meaning anything on the merits of the case, respondent No.4 is directed to decide the legal notice dated 12.1.2020 (Annexure P-2) issued by the petitioner by passing a speaking order in accordance with law, preferably within a period of one month from the date of receipt of certified copy of this order. If the claim of the petitioner is found to be worth acceptance then the payment shall be

released within a further period of six weeks along with interest @ 6.5% p.a. from the date of completion of work till the payment is released in favour of the petitioner. However, in case the competent authority feels that the relief is not entertainable, then a speaking order be passed so as to allow the petitioner to avail his legal remedy in accordance with law.

Petition stands disposed of accordingly.

October 08, 2020

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Whether reasoned/speaking

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No