

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

(Proceedings conducted through video conferencing)

CWP No.17026 of 2020(O&M)

Date of decision: 14.10.2020

The Kulara Kalan Co.OP Labour & Construction Society Ltd.
.....Petitioner

VERSUS

State of Punjab and others
.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. R.K. Girdhar, Advocate for the petitioner.

REKHA MITTAL, J. (Oral)

Counsel for the petitioner would contend that despite letter (Annexure P/3) having been written by Superintending Engineer, Patiala Circle No.1, PWD, B&R Branch, Patiala to the Chief Engineer (P.R.B.D.B), Public Works Department, Building & Roads Branch, Chandigarh vide memo No.492 dated 14.07.2020 for releasing requisite funds for payment of 1st running bill amounting to Rs.27,93,862/-, the requisite funds have not been released for making the aforesaid payment by the Executive Engineer, Construction Division, Building & Roads Branch, Patiala. He would pray that a time-bound direction may be issued to the authority concerned to take a final decision with regard to release of funds and payment of the 1st running bill to the petitioner.

Notice of motion.

Sh. Aayush Sarna, AAG, Punjab accepts notice on behalf of the respondents.

Taking into consideration the limited prayer made by the petitioner and nature of order which this Court proposes to pass, there is no necessity of calling upon the respondents to file response.

In view of the above, without expressing any opinion on merits of the case, petition is disposed of with a direction that the petitioner shall issue a legal notice to the concerned authorities expressing its grievance as has been culled out in the petition within a period of 15 days. In case any such legal notice is issued by the petitioner, respondent No.5 – The Executive Engineer, Construction Division, PWD B&R Branch, Patiala shall decide the said legal notice, in accordance with law, within a period of one month from the date of receipt of certified copy of the order. Respondent No.5 would be at liberty to refer the issue to any of his officers, competent to deal with payment of demanded amount. In case such competent authority finds that claim of the petitioner is worthy of acceptance, the payment shall be released to the petitioner within a period of 4 weeks of decision taken by the competent authority. However, in case the relief claimed by the petitioner is not accepted, the petitioner shall be at liberty to avail its legal remedy, in accordance with law.

OCTOBER 14, 2020

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no