

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

109

CWP No. 18050 of 2020

Date of decision:30.10.2020

THE HEERKE PATTI CO-OP L AND C SOCIETY LTD.

.....Petitioner

Vs

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present: Mr.Prince Goyal, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

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

Petitioners has preferred this writ petition in the nature of mandamus directing the respondents to make payment of Rs.2,00,000/- (approximately) qua the works executed by the petitioner along with interest @ 18% p.a.

Petitioner has tabulated the details of work allotted vide work orders and the amount, which is to be paid to the petitioner in para No.2 of the petition.

Learned counsel for the petitioner submits that the petitioner has successfully completed the work assignments

allotted to it and has submitted the bills to respondent No.4 for the completed work after getting the necessary measurements done from the concerned authority. Despite the aforesaid legal formalities having been completed at the instance of the petitioner, needful in the context of releasing the due payment has not been done by respondent No.4 so far.

Petitioner has already espoused its grievance before respondent No.4 by way of getting a legal notice issued on 12.1.2020, but the same has not been adverted to by respondent No.4 till date despite passing of more than 10 months thereafter.

Notice of motion.

On the asking of Court, Ms.Anju Arora, Addl.A.G., Punjab accepts notice on behalf of the State.

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 its legal remedy in accordance with law.

Petition stands disposed of accordingly.

October 30, 2020

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Whether reasoned/speaking

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE****Yes/No**

Yes/No