

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

**CWP-20009 of 2020 (O&M)
Date of Decision: 25.11.2020.**

The Kakepur Cooperative Land Society Ltd.

...Petitioner

V/S

State of Punjab & Ors.

....Respondents

CORAM: HON'BLE MR JUSTICE ARUN MONGA

Present : Mr. P.S. Sekhon, Advocate
for the petitioner.

Mr. D.S. Sukarchakia, DAG Punjab.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

1. Petitioner herein, *inter alia*, seeks issuance of direction to the respondents to release an amount of Rs.10,78,278/-(excluding interest and security deposit) in respect of the work executed by the petitioner during the period January, 2017 to 24.04.2017. The complaint of the petitioner is that despite having executed the work to the satisfaction of respondents, only 60% of the amount has been released by the respondents, whereas 40% amount of the allotted work has been withheld by the respondents for no justifiable reason, whatsoever. Even legal notice dated 12.10.2020(Annexure P-2) has not been replied till date.

2. Learned counsel for the petitioner, at the outset, submits that petitioner will be satisfied if a direction is issued to the respondents to just consider the genuine claim of petitioner as per legal notice dated 12.10.2020(Annexure P-2).

3. Notice of motion.

4. Mr. D.S. Sukarchakia, DAG Punjab, who has joined the proceedings on advance service of copy of petition, accepts notice on behalf of respondents.

5. In view of restricted prayer of the petitioner, no further pleadings are required. Without adverting to the merits of the case, petition is disposed of with a direction to respondent No.2 to objectively consider the legal notice (Annexure P-2) and decide the same by passing a speaking order, in accordance with law, within two months from the date of receipt of a certified copy of this order. If the claim is found to be genuine, let the payment thereof be made within a period of 30 days thereafter, failing which an interest of 12% per annum shall be payable on expiry of aforesaid period of 30 days.

6. Disposed of in above terms.

November 25, 2020
Jiten

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No