

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

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CWP-20473-2020

Decided on : 01.12.2020

The Kakepur Co-operative L&C Society Ltd.

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

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

Ms.Monica Chhibber Sharma, DAG, Punjab.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Prayer in the present writ petition, filed under Articles 226/227 of the Constitution of India, by the petitioner, is for issuance of a writ in the nature of mandamus directing the respondents to release the payment of Rs.63,875/- (excluding interest and security deposit).

It is alleged that the petitioner had been assigned work of inter-lock tiles, repair of drains in street of Jathedar Toti Ward No.4 by respondents No.2 to 4, Municipal Council, Jagraon which was completed on 15.11.2019 and completion report is annexed as Annexure P-1. Against the work, an amount of Rs.2,12,919/- has been paid which is 70% and the remaining 30% amount is pending. It is submitted that legal notice dated 15.10.2020 (Annexure P-2) has been served upon the respondents but of no avail.

Notice of motion.

Ms.Sharma accepts notice on behalf of respondents No.1 & 2.

Keeping in view the above, no useful purpose would be served by calling upon the respondents to file response as it would only delay the proceedings.

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Accordingly, in view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the present writ petition is disposed of, by issuing the following directions:

Respondents No.3 & 4 shall decide the legal notice dated 15.10.2020 (Annexure P-2). In case the payment is due, same shall be released within a period of two months from the date of receipt of a certified copy of this order. In case there is any legal impediment or that the work has not been completed to the satisfaction of the respondents, respondents No.3 & 4 shall pass a reasoned order within the said period and communicate the same to the petitioner, forthwith.

Writ petition stands disposed of.

DECEMBER 01, 2020

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**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No