

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.7325 of 2021 (O&M)

Date of Decision:30.07.2021

Bajrang Bali Co-op Multipurpose Society Limited

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Raman B.Garg, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl.AG., Haryana.

Mr. Jagdish Manchanda, Advocate
for respondents no.3 and 4.

LISA GILL, J(Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioner seeks direction to the respondents to release the admitted payment of Rs.69,36,672/- including security amount of Rs.6,93,667/- due towards it on account of completion of three civil works of repairing/construction of streets as allotted to the petitioner by respondent no.4.

It is submitted that respondent no.4-Municipal Council, Bhiwani, issued cheque no. 028757 dated 20.12.2019 for an amount of Rs.58,37,209/- only against the total as above and security amount was also retained without any rhyme or reason. It is submitted that said cheque was dishonored as per memo dated 17.01.2020 with the reason 'Drawers signatures differs'.

Authorized persons of the petitioner, are stated to have time and

again requested the authorities to release the payment due towards the petitioner, but to no avail despite issuance of a legal notice.

At this stage, learned counsel for respondents no.3 and 4 submits that the entire payment due to the petitioner has since been released through RTGS.

Learned counsel for the petitioner confirms and verifies that the payment due has been received by the petitioner yesterday through medium of RTGS. However, he seeks interest on the delayed payment.

Learned counsel for respondents no.3 and 4 is unable to deny that a cheque in discharge of its liabilities was issued by the municipal council on 20.12.2019, thus liability is clearly admitted. There is nothing to justify, firstly, dishonor of the cheque and thereafter the obdurate stand of the respondents in not releasing the admitted amount till 29.07.2021.

In the given factual matrix of the case, I am of the considered opinion that the petitioner is entitled to interest at the rate of 6% on the amount released on 29.07.2021, from 20.12.2019. The said amount of interest be released to the petitioner within a period of one month from receipt of certified copy of this order.

Writ petition is accordingly disposed of.

30.07.2021
s.khan

[LISA GILL]
Judge

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