

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

CWP-8742-2021 (O&M)

Date of Decision: 23.04.2021

M/s York Builders Pvt. Ltd.

...Petitioner

V/s

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Chirag Girdhar, Advocate,
for the petitioner.

Ms. Akshita Chauhan, AAG, Punjab.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioner, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to remit the over due payment, of what is alleged to be an admitted amount of Rs.5,12,831/- including security qua the work already executed by the petitioner along with interest.

2. Learned counsel for the petitioner submits that work was allotted to the petitioner in the year 2016, vide different allotment letters. Petitioner commenced work soon thereafter and successfully completed the same and payment of the works has also been released to the petitioner but the security and withheld amount on account of Webcoss has not been remitted till date, without any plausible reason.

3. In the premise, petitioner submitted various representations followed by legal notice dated 02.02.2021 (Annexure P-5) but to no avail.

Hence, the instant petition.

4. Learned counsel for the petitioner submits that he would be satisfied, at this stage, if a final decision is taken by the respondents on the pending legal notice dated 02.02.2021 (Annexure P-5).

6. Notice of motion.

7. Ms. Akshita Chauhan, AAG Punjab joins proceedings on advance service and accepts notice on behalf of the respondent-State of Punjab.

8. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per legal notice dated 02.02.2021 (Annexure P-5) and also by keeping in view the contentions stated in the present petition by treating the same as supplementary representation and decide the same by passing a speaking order, in accordance with law.

8. Let the needful be done within a period of four weeks from today. In case, favorable order is passed, benefit thereof be accorded within a period of six weeks thereafter.

9. Disposed of accordingly.

April 23, 2021

vandana

(ARUN MONGA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No