

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

CWP-4823-2021

Date of Decision: 02.03.2021

M/S Raj Tent and Caterers

...Petitioners

V/S

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Sherry K. Singla, Advocate,
For the petitioners.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petition herein is under Article 226 of Constitution of India seeking issuance of a writ in the nature of certiorari to quash the impugned order dated 15.04.2019 (Annexure P-9) passed by respondent No.4 whereby the claim of the petitioners for release of payment of Rs.3,47,136/- has been rejected.

In view of the disputed question of facts, *inter alia*, denying the entitlement of the petitioners to claim payment of money of Rs.3,47,136/- against pending bills, same cannot adjudicate upon under the extra ordinary writ jurisdiction. Bills are though alleged to be admitted liability, but a perusal of the impugned order herein suggests otherwise.

Instant writ petition is dismissed with liberty to the petitioners to seek alternate remedy including filing of a civil suit, if so advised.

In the event, petitioners choose to take recourse to the alternative remedy, the time taken for litigation before this Court shall be exempted from the period of limitation.

March 02, 2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No