

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

110

CWP No. 17446 of 2021

Date of Decision: 07.09.2021

The Punjab State Co-operative Supply and Marketing Federation Ltd.

....Petitioner

VERSUS

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MRS. JUSTICE ALKA SARIN**

Present: Mr. Pankaj Jain, Senior Advocate with
Mr. Divya Suri, Advocate for the petitioner.

AJAY TEWARI, J. (Oral)

By this writ petition, the petitioner prays for waiver in the condition of pre-deposit on the twin ground that it is a Government agency and secondly, the financial position has been rendered precarious in view of the Covid-19 Pandemic.

Notice of motion.

On asking of the court, Mr. Pankaj Gupta, Additional A.G., Punjab, accepts notice on behalf of the respondents and states that he does not dispute the facts of the case but prayer of the petitioner for complete waiver is also not justified. He has, however, left to this Court to balance the equities.

Keeping in view the entire factual matrix and in view of judgment of Hon'ble Supreme Court in **M/s Tecnimont Pvt. Ltd. (formerly known as Tecnimont ICB Pvt. Ltd.) vs. State of Punjab and others, 2019 SCC Online SC 1228**, we deem it appropriate to direct that the pre-deposit

shall be 15% instead of 25% and the same shall be deposited by the petitioner within a period of two months from today. In case the deposit is made, the impugned order(s) would be deemed to have been set aside and the appeal would be revived for hearing on merits accordingly.

Disposed off in the above terms.

**(AJAY TEWARI)
JUDGE**

**(ALKA SARIN)
JUDGE**

**7th September, 2021
jk**

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO