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

**CWP No.21717 of 2021
Date of Decision: 28.10.2021**

THE TALWANDI MADHO CO OP L AND C SOCIETY LTD.

.....Petitioner

Vs

THE STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

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

RAJ MOHAN SINGH, J.(Oral)

Petitioner has preferred this petition for the issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to release the due amount of Rs.8,17,602/- for the works done by the petitioner along with interest @ 12% per annum.

Learned counsel for the petitioner submits that the work assigned was completed in the year 2017. Even defect liability period has also been expired without there being any defect pointed out by the respondent-Department. The bills have already been passed, but balance payment has not been

released to the petitioner till date. There is no dispute regarding execution of work done by the petitioner. The work was done to the entire satisfaction of the respondent-Department according to their specifications.

Precisely for the grievance in question, the petitioner has already issued a legal notice dated 27.09.2021 to the respondent No.3, but the same is still pending.

Notice of motion.

On asking of the Court, Mr. Abhay Pal Singh Gill, Asstt. A.G., Punjab accepts notice on behalf of respondents No.1 to 3.

In view of nature of order which this Court proposes to pass, there is no necessity of serving respondent No.4 or calling upon any response from it as no order prejudicial to its interest is being passed.

Since the legal notice sent by the petitioner is pending before respondent No.4/Executive Officer, Municipal Council, Nurmahal, District Jalandhar, therefore, this petition is disposed of with a direction to respondent No.4 to take a final view on the pending legal notice (Annexure P-3) and decide the same within a period of one month from the date of receipt of certified copy of this order. If respondent No.4 comes to the conclusion that the petitioner-firm is entitled for the amount in question then the

same be paid forthwith along with interest @ 6% per annum for the delayed payment from the date of amount became due within the time specified hereinabove.

October 28, 2021

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Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No