

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

CWP-21780-2021

Date of decision : 28.10.2021

M/s Grand Way Incorporation

... Petitioner

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present : Mr. Aayush Gupta, 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 official respondents to release the balance payment in a specified period.

Learned counsel for the petitioner submits that pursuant to the order of purchase placed before the petitioner for 1,50,000 Covid Care Kits during the peak of second wave of Covid-19, the petitioner supplied the same in a time bound manner. The rate of one kit was fixed as Rs.1338.40/-. The total purchase order was in

a sum of Rs.20,07,60,000/-. Respondent No.2 unilaterally reduced the rate of kit thereby offering Rs.883.50 plus GST per kit. The difference of the amount has been retained without there being any lawful justification.

Preciously for the grievance in question, the petitioner has already filed representation dated 09.09.2021 (Annexure P-3) before respondent No.2 and the same has not been adverted to so far.

Notice of motion.

On asking of the Court, Mr. Abhay Pal Singh Gill, AAG, Punjab, accepts notice on behalf of respondent No.1.

In view of nature of order which this Court proposes to pass, there is no necessity of serving respondent No.2 or calling upon any response from the respondent as no order prejudicial to the interest of any party is being passed.

Since the representation sent by the petitioner is pending before respondent No.2, therefore, this petition is disposed of with a direction to respondent No.2 to decide the representation (Annexure P-3) of the petitioner dated 09.09.2021 in accordance

with law preferably within a period of one month from the date of receipt of certified copy of this order. In case the entitlement of the petitioner is established, the difference of the amount to paid within one month thereafter.

(RAJ MOHAN SINGH)
JUDGE

28.10.2021
Dinesh

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No