

104

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

CWP No.1118 of 2020

Date of Decision: 25.07.2022

M/S JAGSON DEVELOPERS

-Petitioner

Versus

**PUNJAB SMALL INDUSTRIES AND EXPORT CORPORATION
LTD AND OTHERS**

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. B.S. Jaswal, Advocate
for the petitioner.

Mr. Indresh Goel, Advocate
for the respondents.

RAJ MOHAN SINGH, J. (Oral)

Learned counsel for the petitioner submits that against the imposition of penalty vide letter dated 31.08.2017, the petitioner has already invoked clause 2 of the conditions of contract thereby moving an application dated 16.10.2017 before the Executive Engineer and Superintendent Engineer, PSIEC Ltd., Jalandhar for release of amount so deducted towards penalty from the bills of the petitioner.

It appears that no action has been taken by respondent No.2 on the representation dated 16.10.2017 filed by the petitioner which was further substantiated by legal notice

dated 08.10.2019.

Learned counsel for the petitioner further submits that decision has to be taken by respondent No.2 in terms of powers delegated to the office under the conditions of contract.

Learned counsel further submits that at this stage, the petitioner would be satisfied in case its representation dated 16.10.2017 and legal notice dated 08.10.2019 are directed to be decided by respondent No.2 by passing a speaking order in accordance with law at the earliest.

This writ petition is disposed of with a direction to respondent No.2 to consider the pending representation dated 16.10.2017 and legal notice dated 08.10.2019 got issued by the petitioner and pass appropriate order in accordance with law, preferably within a period of two months from the date of receipt of certified copy of this order.

25.07.2022

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(RAJ MOHAN SINGH)
JUDGE

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|------------------------------|---|--------|
| 1. Whether speaking/reasoned | : | Yes/No |
| 2. Whether reportable | : | Yes/No |