

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

CWP No. 2459 of 2022 (O&M)

Date of decision: 10.02.2022

The Mehtabgarh Co-operative
Labour & Construction Society Limited
versus

...Petitioner

The State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice Arun Monga

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

Mr. Pawan Sharda, Deputy Advocate General, Punjab.

Arun Monga, J. (oral)

Petition herein is for the issuance of an appropriate writ, order or direction/mandamus directing the respondents to release, what is claimed to be due, an amount of Rs.15,11,211/- for the works of laying CC Flooring etc. executed by the petitioner along with interest.

2. Learned counsel for the petitioner submits that the work assigned was completed in March 2018. Since then, even defect liability period has also expired. No defect was pointed out by the respondent-Department. The bills are learnt to be already approved, but yet requisite payment has not been disbursed 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.

3. Petitioner also caused a legal notice dated 03.01.2022 (Annexure P-4) to respondent No.3, but no response to that either. Hence the instant petition.

4. Notice of motion.

5. On advance service, learned State counsel joins proceedings and opposes issuance of notice of motion and submits that competent authority shall take decision either way, on the pending legal notice of the petitioner, in due course.

6. In the premise, petition is disposed of with a direction to respondent No.3 to take a final view on the pending legal notice (Annexure P-4) and decide the same within a period of one month from the date of receipt of certified copy of this order. In case, respondent No.3 comes to the conclusion that the petitioner-firm is entitled for the amount in question, the same be remitted within 30 days, failing which interest @ 6% per annum for the delayed payment from the date amount became due shall be paid.

10.02.2022

VS

(Arun Monga)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No