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

CWP No. 7173 of 2022
Date of Decision: 07.04.2022

The Bharat Co-op L & C Society Ltd.

-Petitioner

Versus

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 issuance of an appropriate writ in the nature of mandamus directing the respondents to release balance payment of Rs.16,08,744/- along with interest qua the work done by the petitioner.

Petitioner is a Co-operative Society and is involved in execution of various works allocated to it by the respondents. In the year 2016, works of annual maintenance of Public Health Services in various villages in District Ferozepur were allocated to the petitioner. Petitioner has successfully completed the work assignment to the satisfaction of the competent authority. The execution and completion of work was duly reflected in the record of the department in terms of measurement books etc.

The work has been undertaken by the petitioner as per specifications of the department, but the payment has not been released to the petitioner till date.

Precisely for the claim in question, the petitioner has already approached the respondents by way of filing numerous representations including legal notice dated 07.03.2022 before respondent No.4.

At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied in case its representation including legal notice is directed to be decided by respondent No.4 by passing a speaking order in accordance with law.

Notice of motion.

On the asking of the Court, Mr. C.L. Pawar, Sr. D.A.G., Punjab accepts notice on behalf of the respondents.

In view of nature of order which this Court proposes to pass, there is no necessity of calling upon any response from the respondents at this stage, as no order prejudicial to the interest of any party is being passed.

This writ petition is disposed of with a direction to respondent No.4 to take note of representation including legal notice dated 07.03.2022 got issued by the petitioner and pass appropriate order in accordance with law, preferably within a

period of one month from the date of receipt of certified copy of this order.

If the entitlement of the petitioner is established with reference to record, then the payment be released to the petitioner forthwith. Any delay in disbursing the payment shall result in imposition of interest @ 6% per annum for the delayed payment from the date of accrual till final realization of the same.

If the entitlement of the petitioner is not found, then the representation be decided by passing a speaking order and the same be communicated to the petitioner within a reasonable time.

07.04.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No