

113

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

CWP No. 7489 of 2022
Date of Decision: 08.04.2022

The Neelam Co-operative Labour & Construction Society Ltd.

-Petitioner

Versus

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ajay Pal Singh Rehan, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Petitioner has preferred this petition for issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to release all the payments as per final bills dated 11.02.2020 attached with the writ petition as Annexures P-1 to P-4.

Petitioner is a registered Co-operative Labour and Construction Society Ltd. dealing in works of construction. On 01.11.2019, work at the celebration site at Dera Baba Nanak was allocated to the petitioner on the eve of celebration of 550th birth anniversary of Shri Guru Nanak Dev Ji. The aforesaid work was executed by the petitioner to the satisfaction of respondents

No.2 and 3 within the time prescribed. The work was undertaken by the petitioner as per specifications of the department and the same was endorsed even vide due inspection carried out by the competent authority. Final bills were cleared, but the payments have not been released so far.

Precisely for the claim in question, the petitioner has already approached the respondents by way of filing a representation dated 25.02.2022 before respondents No.2 and 3, but the same has not been adhered to so far.

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.3 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.3 to take note of representation dated

25.02.2022 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.

08.04.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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