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

CWP No.8968 of 2022

Date of Decision: 29.04.2022

**THE SHAHABPUR COOPERATIVE LABOUR AND
CONSTRUCTION SOCIETY LTD**

.....Petitioner

Vs

AMRITSAR IMPROVEMENT TRUST AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Dheeraj Mahajan, 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 payment of Rs.9,87,154/- qua the work done by the petitioner along with interest.

Learned counsel for the petitioner submits that petitioner-Society is dealing in the works of construction. On 18.12.2014, the work namely 'PL/1 No.Reverse 12x8 wrig bore at Ward No.32 and two numbers tubewell at Ward No.34' against estimate cost of Rs.45.56 lakh was allotted to the petitioner.

The work was executed by the petitioner as per specifications of the respondents. One payment of Rs.28,99,457/- has been paid on 04.03.2015 on the basis of entry recorded in the measurement book. The work was completed on 10.11.2016, however the final bill is not prepared and not passed till date. Admitted payment of Rs.9,78,154/- has not been released to the petitioner.

Precisely for the claim in question, the petitioner has already approached the respondents by way of filing a legal notice dated 21.01.2022 before the respondents 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 legal notice is directed to be decided by the respondents by passing a speaking order in accordance with law.

Notice of motion.

At this stage, Mr. Kushagra Mahajan, Advocate appears 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 the respondents to take note of representation dated 21.01.2022 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.

April 29, 2022	(RAJ MOHAN SINGH)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No