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

CWP No. 11464 of 2022

Date of Decision: 25.05.2022

M/s Sahil Travels (Proprietorship Concern), Ludhiana

-Petitioner

Versus

Punjab State Bus Stand Management Company Limited and ors

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Raj Kaushik, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Petitioner has preferred this writ petition for the issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to release refundable security in respect of lease agreements.

Learned counsel for the petitioner submits that the respondents had floated a scheme known as KM Scheme for hiring private buses. Under the aforesaid scheme, tenders were invited from general public for putting their buses under the said scheme. Petitioner applied for the scheme and was successful in getting the opportunity of putting his buses under the scheme. Lease agreements were executed in writing on 04.04.2014

which were effective for 05 years. As per terms of the lease agreements, the petitioner had inducted his four buses with deposit of Rs.50,000/- per bus in the shape of earnest money which was refundable after expiry of the term i.e. 05 years of the lease agreements. The aforesaid amount was refundable earnest money payable after expiry of lease period. The lease period stands expired in the year 2019, but till date, refundable earnest money has not been paid/returned to the petitioner.

Learned counsel for the petitioner further refers to a letter dated 24.08.2021 written by the Depot Manager, PUNBUS to the Managing Director, PUNBUS acknowledging the claim of the petitioner with a request to release the amount in favour of the petitioner.

Despite the aforesaid intra departmental communication, needful in the context of releasing the amount in question has not been done so far.

Learned counsel for the petitioner submits that the petitioner would be satisfied in case its legal notice dated 01.05.2022 is ordered to be decided by respondent No.2 in a time bound manner.

Notice of motion.

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.

Without meaning anything on the merits of the case, this writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 01.05.2022 of the petitioner within a period of one month from the date of receipt of certified copy of this order.

If the claim of the petitioner for release of refundable earnest money is found to be genuine, then the needful be done within a further period of one month. Delay beyond the aforesaid period would attract interest @ 6% per annum from the date of accrual till final realization of the amount.

25.05.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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