

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

ARB-208-2021 (O&M)

Date of decision: 08.12.2022

M/s Lion Services Limited

....Petitioner

Versus

Director, PGIMER, Chandigarh and others

....Respondents

CORAM: HON'BLE MR.JUSTICE RAJ MOHAN SINGH

Present: Mr. Jatinderpal Singh, Advocate for the petitioner.

Mr.Anil Kumar Sharma, Advocate for the respondents.

Raj Mohan Singh, J.(Oral)

(1) The petitioner has preferred this petition under Section 11 (6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator to adjudicate the dispute between the parties arising out of the management contract dated 24.07.2014 for sanitation and cleaning services and for adjudication in respect of due payment of work carried out by the petitioner-Company.

(2) As per the stand taken by the respondents, the petitioner-Company has partially complied with the direction and since 330 EPF accounts of the employees have been transferred and accordingly, sanction was granted to release an

amount of ₹14,28,980/- on account of bonus for the financial year 2017-18 vide letter dated 17.03.2021. Vide the aforesaid letter out of the sanctioned amount of ₹12,11,000/- after deducting TDS, the respondent granted sanction to release the amount of ₹6,38,750/- to the service provider after withholding the remaining amount of ₹5,72,250/- till further orders. On 01.09.2022, the following order was passed by this Court:

“Learned counsel for the petitioner with reference to some latest documents (handed over to the learned counsel for the respondents) submits that the petitioner has complied with the requirement of para No.7 of the preliminary objections and para No.7-F on merits. On the basis of aforesaid documents, the petitioner seeks refund of an amount of ₹5,72,250/-, which has been withheld. An amount of ₹6,38,750/- has already been paid to the petitioner.

Learned counsel for the respondents submits that the sanction was granted to release an amount of ₹14,28,980/- on account of bonus for the financial year 2017-18 on 17.03.2021. Out of the sanctioned amount, some deductions were made towards TDS and remaining sanctioned amount was to the tune of ₹12,11,000/-.”

Adjourned to 27.09.2022.”

(3) In compliance of the aforesaid order, learned counsel for the petitioner brought to the notice of this Court that remaining 14 employees including the petitioner have already applied to the competent authority for transfer of EPF accounts and information to

this effect has also been sent to the respondents.

(4) Learned counsel for the respondents submits that as and when the needful in the context of transferring EPF accounts of the aforesaid 14 employees is received by the respondents, the respondents will release the remaining amount of ₹5,72,250/-.

(5) In view of the aforesaid status of the case, no further order is required to be passed. This petition is disposed of. Necessary consequence to follow.

08.12.2022
Meenu

(Raj Mohan Singh)
Judge

Whether speaking/non speaking : Yes/no
Whether reportable : Yes/No