

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

114

CWP-22003-2022

Date of decision: 23.09.2022

THE VIJAY CO-OP L AND C SOCIETY LTD

.....Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Tajinder Pal Singh Makkar, Advocate
for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab
for respondents.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition invoked writ jurisdiction of this Court in the nature of Mandamus for directing the respondents to make payment of Rs. 5,60,349/- including the security deducted from the petitioner on account of the work of P/laying interlocking Tiles of 60MM on berms at Barnala Road, that was executed by the petitioner.

Learned counsel appearing on behalf of the petitioner contends that the petitioner has satisfactorily executed various works assigned to him from time to time and there has been never been any complaint against the workmanship of the petitioner. The aforesaid work of laying of interlocking tiles was awarded to the petitioner on 22.11.2021, vide work order No.11/53 dated 22.11.2021 at an estimated cost of Rs. 24.31 lacs. He contends that the petitioner has completed the aforesaid work to the entire satisfaction of the department officials and that only an amount of Rs. 13,52, 510/- has been released to the

petitioner on 23.02.2022. He contends that an amount of Rs. 5,60,349/- including the deducted security of the petitioner, is still pending and has not yet been released. He submits that when the efforts on the part of the petitioner did not yield any result, a representation dated 06.04.2022 (Annexure P-3) was sent by the petitioner to the respondent No.2-Executive Officer, Nagar Panchayat, Nihal Singh Wala. He submits that he would be presently satisfied in case the respondent No.2 i.e. Executive Officer is directed to look into the representation dated 06.04.2022 (Annexure P-3) and to pass a reasoned and speaking order thereupon after affording an opportunity of hearing to the petitioner.

Notice of motion.

Ms. Niharika Sharma, AAG, Punjab appears and accpets notice on behalf of respondent No.1.

Mr. Saurav Verma, Advocate who is present in Court and is Additional Advocate General for the State of Punjab and would be on the panel on of all statutory bodies and other statutory Corporations of the Government of Punjab, is called upon to accept notice. He accepts notice on the asking of the Court and has no objection to the petition being disposed of as per the prayer so made by the petitioner.

Consequently, the present petition is disposed of with the consent of the parties and without commenting on the merits of the case directing the respondent No.2 i.e. Executive Officer to take into consideration the representation dated 06.04.2022 (Annexure P-3) sent by the petitioner and to pass a reasoned and speaking order thereupon within a period 03 months of receipt of certified copy of this order.

Needless to mention that in case any amount is found due

and payable to the petitioner on such determination, the same shall be released expeditiously and preferably within a period of 03 months thereafter. If the needful is not done in the manner as aforesaid, the petitioner shall be entitled to interest @ 6 % per annum from the date of passing of this order.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 23, 2022

Vishal sharma

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