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

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**CWP-22617-2022 (O&M).
Date of Decision: 29.09.2022.**

M/S ROHAN RAJDEEP TOLLWAYS LTD

Petitioner

VERSUS

STATE OF PUNJAB AND ORS

.. Respondents

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

PRESENT Mr. Akshay Bhan, Sr. Advocate, with
Mr. Parveen Moudgil, Advocate,
Mr. Ramanjit Singh, Advocate,
Mr. Karanbir Singh, Advocate,
Mr. Anil Kumar, Advocate, and
Mr. Akhilesh Barak, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India, praying for issuance of a writ in the nature of mandamus directing the respondents to grant administrative approval for extension of the concession period in accordance with Article 15 of the Concession Agreement dated 06.12.2005 (Annexure P-5) for a total period of 16 months during the operation of the period of *force majeure*.

Learned Senior counsel appearing on behalf of the petitioner contends that he confines his prayer, at this juncture, to seek an expeditious adjudication of the submission made by the petitioner vide reference No.RRTL/PP/2022-23/150 dated 18.08.2022 (Annexure P-16) sent to the

Principal Secretary, Department of Public Works (B&R) Br., Government of Punjab, Chandigarh on the subject of Upgradation, Operation and Maintenance of the Patiala – Samana – Patran Road in the State of Punjab under the BOT Basis and seeking compensation of loss in toll collection due to Covid – 19 Pandemic and the Farm Agitation Protests being organised. He submits that the petitioner shall have an actionable cause only after a decision is taken thereupon by the concerned Authorities.

Notice of motion.

Mr. Vikas Mohan Gupta, Addl. A.G. Punjab, accepts notice on behalf of all the respondents. He has no objection to the aforesaid prayer prayer being accepted and submits that in the event the aforesaid representation dated 18.08.2022 appended along with the instant petition as Annexure P-16 has not already been decided, the same shall be decided expeditiously and preferably decided before 18.10.2022 after affording an opportunity of hearing to the concerned parties.

Accordingly, with the consent of the parties and without commenting on the merits of the case, the instant writ petition is disposed of with a direction that representation dated 18.08.2022 (Annexure P-16) sent to the Principal Secretary, Department of Public Works (B&R) Br., Government of Punjab, Chandigarh, shall be decided by respondent No.3 – The Chief Engineer, Department of Public Works (Buildings & Roads), Government of Punjab, - the employer and a reasoned and a speaking order shall be passed on or before 18.10.2022, after affording an opportunity of

hearing to the concerned parties. It is further directed that the petitioner shall appear before the respondent No.3 – the Chief Engineer, Department of Public Works (Buildings & Roads), Government of Punjab on 06.10.2022, at 11:00 A.M. for further proceedings to be initiated by the concerned Chief Engineer.

September 29, 2022.
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(VINOD S. BHARDWAJ)
JUDGE