

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

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**CWP-22861-2022
Date of decision: 30.09.2022**

THE DAGRU CO-OP L AND C SOCIETY LTD

.....Petitioner

VERSUS

THE STATE OF PUNJAB AND OTHERS

.....Respondents

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

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

Ms. Niharika Sharma, AAG, Punjab
for respondents No.1.

Mr. Saurav Verma, Addl. A.G. Punjab
for respondent No.2 to 4.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing the respondents to release the due payment of Rs. 5,28,723/- on account of security deducted at the time of making payment of the bills security qua the works executed by the petitioner alongwith interest @ 12% P.A.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted various works during the year 2021 and the same have also been completed. The payment of the bills qua the works

executed by the petitioner has already been done on some security amount was deducted and has not been released.

It is contended that the bills with respect to the aforesaid work have already been sent to the respondent and representation has been made by the petitioner submitted on 17.08.2022 to the respondent No.4- Corporation Engineer, Municipal Corporation, Moga, District Moga.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.2- Municipal Corporation, Moga, District Moga is directed to look into the legal notice and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Ms. Niharika Sharma, AAG, Punjab appears and accepts notice on behalf of respondents No.1.

Mr. Saurav Verma, Addl. A.G. Punjab, by virtue of his assignment is also on the panel of all the statutory corporations and bodies of the Government of Punjab, is directed to and accepts notice on behalf of respondents No.2 to 4.

Learned counsel appearing on behalf of respondent No.2 to 4 has no objection in the event such prayer of the petitioner as aforesaid is accepted.

Accordingly, the present petition is disposed of with consent and without commenting on the merits of the claim, with a direction to respondent No.2- Municipal Corporation, Moga, District Moga to examine the grievance espoused by the petitioner in the representation (Annexure P-

12) and to pass a reasoned and speaking order thereupon within a period of 03 months of the receipt of certified copy of this order after affording an opportunity of hearing to the respective parties.

Needless to mention that in the event any amount is found payable, the same shall be released forthwith and preferably within a period of 03 months of such a decision being taken by the respondent-authorities.

The petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 30, 2022
Vishal Sharma

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No