

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

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**CWP-24648-2022 (O&M).  
Date of Decision: 09.12.2022.**

**The Sarawan Bodla Co-operative Labour and Construction Society  
Limited, Sarawan Bodla, District Sri Muktsar Sahib.**

... Petitioner

Versus

**State of Punjab and others**

... Respondents

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

Present: Mr. Peeush Gagneja, Advocate,  
for the petitioner.

**VINOD S. BHARDWAJ, J. (ORAL)**

**CM-19455-CWP-2022 and CM-19464-CWP-2022**

The instant applications have been filed under Section 151 of the Code of Civil Procedure, 1908, for placing on record report dated 31.03.2022 and Running Bill dated 21.04.2022 as Annexures P-5 and P-6 as well as for seeking exemption from filing certified copies of said Annexures.

For the reasons stated in the applications, both the applications are allowed subject to all just exceptions.

Report dated 31.03.2022 and Running Bill dated 21.04.2022 are taken on record as Annexures P-5 and P-6.

Registry is directed to tag the same at appropriate place.

**Main case**

The instant petition has been preferred by the petitioner under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of mandamus directing the respondents to release the amount of contractual work executed by the petitioner.

The petitioner claims to be a registered Cooperative Labour and Construction Society Limited having been assigned the work of laying interlocking tiles in different wards within the area of Municipal Corporation, Abohar, vide various work orders and copy of one of the work order dated 21.10.2021 is appended with the present petition as (Annexure P-2).

Learned counsel for the petitioner contends that the work of laying interlocking tiles in different wards within the area of Municipal Corporation stand successfully executed, however, the payment against the execution of the aforesaid work has not been released, even though the final bills submitted by the petitioner already stand approved by the competent authority. He further contends that in this regard, a legal notice dated 16.08.2022 has been sent by the petitioner vide Annexure P-3 and that despite a lapse of about four months since the date of legal notice neither any decision has been taken thereupon nor has the due and undisputed payment been released by the respondents. He contends that he would be satisfied in case the respondent authorities are directed to look into the representation and the grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

Notice of motion.

Ms. Niharika Sharma, AAG, Punjab, accepts notice on behalf of respondent No.1 – State and Mr. Saurav Verma, Addl. A.G., Punjab, who 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 respondent Nos.2 and 3, and they have no objection to aforesaid prayer being granted.

Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and the respondent No.3 - the Commissioner, Municipal Corporation, Abohar, District Fazilka, is directed to take note of the legal notice dated 16.08.2022 (Annexure P-3) sent by the petitioner and to pass a speaking and a reasoned order thereupon in accordance with law and preferably within a period of three months from the date of receipt of certified copy of this order.

Needless to mention that in the event the entitlement of the petitioner being established as per law, the payment due to the petitioner shall be released expeditiously and preferably within a further period of three months.

Petition stands disposed of accordingly.

**December 09, 2022.**  
**raj arora**

**(VINOD S. BHARDWAJ)**  
**JUDGE**

*Whether speaking/reasoned* : Yes/No

*Whether reportable* : Yes/No