

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

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CWP-27722-2022

Date of decision:05.12.2022

PROMARK TECHSOLUTIONS PVT LTD

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Akshay Bhan, Sr. Advocate with
Mr. Santosh Sharma, Advocate
for the petitioner.

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

Mr. Saurav Verma, Addl. A.G. Punjab
for respondents No.2 & 3.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India, 1950 for the issuance of a writ in the nature of mandamus directing the respondents to release the due payment of Rs. 6,58,17,710/- qua the works executed by the petitioner alongwith interest @ 18% p.a.

Learned counsel appearing on behalf of the petitioner contends that the petitioner's company is a leading manufacturer of all types of institutional, office and hospital furniture. That vide letter No. PHSC/Proc/Fin-XV/2022/2201-2205 dated 07.01.2022, the respondent No.2 placed an order with the petitioner to supply the various

goods/furniture to different districts of Punjab in terms of Rate Contract entered between the present petitioner and the respondent No.3. However, the payment of Rs. 6,58,17,710/- has not been released to the petitioner.

It is further contended that the bills with respect to the supply of various goods have already been sent to the respondents and several representations have been made by the petitioner including the Legal Notice dated 01.10.2022 (Annexure P-10) to the respondent No.2-Managing Director, Punjab Health System Corporation, Phase-8, SAS Nagar, Mohali.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.2-Managing Director, Punjab Health System Corporation, Phase-8, SAS Nagar, Mohali is directed to look into the Legal Notice dated 01.10.2022 (Annexure P-10) 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, who is the Additional Advocate General Punjab and would thus be on the panel of all statutory Board and Corporations of the State of Punjab has been requested to accept notice on behalf of respondents No.2 and 3.

He accepts notice on the asking of the Court on behalf of respondents No.2 and 3.

Learned counsel appearing on behalf of respondent No.2

and 3 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-Managing Director, Punjab Health System Corporation, Phase-8, SAS Nagar, Mohali to examine the grievance espoused by the petitioner in the Legal Notice Legal Notice dated 01.10.2022 (Annexure P-10) 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

DECEMBER 05, 2022

Vishal sharma

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