

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

**COCP-2111-2016 (O&M)
Date of decision: 14.03.2023**

Regent Cooperative Labour and Construction Society

... Petitioner

Vs.

A.S. Bhatia

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

The petitioner alleges violation of the order dated 18.05.2016,
operative part of which reads as under: -

*“Be that as it may, since the case is being adjourned time and
again for the payment of the amount due, therefore, these petitions
are hereby disposed of with a direction to the respondents to
release the payment of the petitioners in all the abovesaid cases as
early as possible but preferably within a period of two months, if
already not released.”*

Status report by way of affidavit of Executive Engineer, Jandiala
Division, UBDC, Amritsar, filed in the Court today, is taken on record.

Learned State counsel submits that though a review application
has been filed and the petitioner is not found entitled to any payment, however,
he is not appearing in the said petition and the same is being adjourned. It is

further submitted that as per detailed inquiry conducted by a retired Additional Sessions Judge, it is found that allegations against Pushapkaran Chander, Executive Engineer and Satnam Singh, Sub Divisional Officer are proved and it is also held that allegations against Ramesh Chander, Satpal Singh and Rajiv Arora are not proved.

Learned State counsel has further submitted that the petitioner has been blacklisted on the basis of recommendation of Committee of three Chief Engineers for executing substandard work and directed that till the time, work is not executed as per PWD specifications, payment of the contractor will be stopped. It is also submitted that the petitioner is accused of huge financial loss to the State Exchequer. It is next submitted that the petitioner-society is not found eligible for releasing the payment, as it has already been blacklisted.

In view of the above, no willful disobedience is made out.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

14.03.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No