

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No. 968 of 2023 (O&M)

Date of Decision: 18.01.2023

Burfaani Developers and Housing Private Ltd.Petitioner
versus
State of Punjab and othersRespondents

CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present : Mr. Harsh Aggarwal, Advocate, for the petitioner.
Mr. Avinit Avasthi, Assistant Advocate General, Punjab.

RAVI SHANKER JHA, CHIEF JUSTICE (oral)

Learned counsel for the petitioner submits that the respondent-authorities without taking any decision on the petitioner's application dated 23.12.2022 (Annexure P-7) has passed an order dated 30.12.2022 (Annexure P-8) intimating to the petitioner that as per the agreement, the work for the operation, maintenance and transfer of High Level Bridge cross river Sutlej crossing Makhu to Sultanpur Lodhi road is coming to an end on 31.12.2022 and therefore, directed to close the toll plaza and collecting the toll fee. Learned counsel for the petitioner further submits that as per the agreement, the petitioner company invoked the arbitration clause seeking extension of the period of contract due to Covid-19 and farmers protest under the Force Majeure Clause which provides for such an extension but the respondent-authorities without considering the same has passed the impugned order dated 30.12.2022.

Learned Assistant Advocate General appearing for the respondent-State of Punjab, on advance copy, submits that a decision on the petitioner's representation dated 23.12.2022 (Annexure P-7) shall be

taken by the respondent-authorities expeditiously in accordance with law and the order passed thereon shall be communicated to the petitioner.

In view of the statement made by learned Assistant Advocate General, Punjab and taking the same on record, the petition stands disposed of.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

18.01.2023
ravinder

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