

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

121

CWP-2015-2023

Date of Decision:02.02.2023

The Dhanak Basti Co. Op. L&C Society Ltd.

.....Petitioner

Versus

The State of Punjab and others

.....Respondents

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

Present: Mr. Chirag Girdhar, Advocate,
for the petitioner.

VINOD S. BHARDWAJ , J.(Oral)

Prayer in the instant civil writ petition filed under Articles 226/227 of the Constitution of India, 1950 is for issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to release the due amount of ₹1,79,195/- qua the work executed by the petitioner along with interest @ 12% per annum.

Briefly summarized, the facts of the present petition are that the petitioner-society has executed the work of Internal Clearance of Weed, Jaala, Deela, Sarkanda, Jungle booti, Dhora and Silts etc. manually. The work has been successfully completed within the stipulated period on 28.04.2022. The first and final bills have been passed but its payment has not been released till date. Thereafter, the petitioner-society has sent the representations(Annexure P-2 and P-3) to release the due payment but no action has been taken thereupon.

Now the petitioner-society has received a copy of the letter dated 23.01.2023 sent by respondent No.5 stating therein that bills dated 05.09.2022 and 07.12.2022 have been sent to respondent No.6 for making

payment to the petitioner-society. Hence, the liability in question is not disputed but is only delayed on account of internal exigencies.

Notice of motion.

Mr. Saurav Verma, Addl. A.G., Punjab, who is present in Court accepts notice on behalf of the respondents.

Learned counsel appearing on behalf of the respondents are unable to dispute factual aspect stated by the Executive Engineer, Mansa Canal & Ground Water Division, Water Resources Department, Punjab, Jawaharke, Mansa. Hence, the factual aspects stand uncontroverted and undisputed.

In view of the abovesaid undisputed facts as regards the allotment of work, its satisfactory execution and the liability to pay, it is deemed expedient to dispose of the present petition with a direction to respondent No.5-The Executive Engineer, Mansa Canal & Ground Water Division, Water Resources Department, Punjab, Jawaharke, Mansa, to release the admitted liability in favour of the petitioner-society within a period of three months from the date of receipt of a certified copy of this order.

Petition is disposed of.

February 02, 2023
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No