

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

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**CWP-4514-2023 (O&M).
Date of Decision: 03.03.2023.**

PREM KUMAR

.. Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. Surinder Pal Singh Tinna, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to release the due payment of the Taxis which were used by the respondents during the Elections of Punjab Legislative Assembly, 2022 along with interest @ 18% per annum.

Learned counsel for the petitioner contends that during the Punjab Legislative Assembly Elections of 2022, the vehicles were hired by Returning Officers of the constituencies for the purpose of elections on a fixed rate and accordingly, a contract was entered into between respondent No.5 and the petitioner regarding supply of Vehicles in District Fazilka for Vidhan Sabha Halqa's Jalalabad – 79, Abohar – 81 and Balluana – 82 for the Vidhan Sabha Elections – 2022. It is contended that accordingly the vehicles were arranged and supplied along with the drivers and the officials respondents have also maintained the complete record along with vehicle number in the log book maintained by the Department. It is contended that

no complaint was ever raised by the official respondents and the petitioner worked to the satisfaction of the respondents, however, till date the petitioner is running from pillar to post to get the due payment of Rs.78,81,886/- from the respondents. He further contends that since the due payment was not being released, a representation dated 10.01.2023 (Annexure P-8) has been sent by the petitioner and that despite a lapse of more than two months since the date of the representation notice neither any decision has been taken thereupon nor has the due and undisputed payment been released by the respondents. He further 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.

Mr. Saurav Verma, Addl. A.G. Punjab, accepts notice on behalf of the respondents and he has no objection to the 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.5 - the Secretary, Regional Transport Authority, Feroezpur (Fazilka), District Ferozepur, is directed to take note of the representation dated 10.01.2023 (Annexure P-8) sent by the petitioner and to pass a reasoned and speaking 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.

March 03, 2023

raj arora

Whether speaking/reasoned

Whether reportable

(VINOD S. BHARDWAJ)

JUDGE

: Yes/No

: Yes/No