

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

234

CWP-8184-2019 (O&M)
Date of Decision: 18.07.2023

MEDIA GURU ADVERTISING

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. J.S. Rana, Advocate for
Mr. Sandeep Arora, Advocate
for the petitioner.

Ms. Niharika Sharma, AAG, Punjab
for respondents No.1 to 4.

None for respondents No.5 and 6.

VINOD S. BHARDWAJ, J. (ORAL)

The present petition has been filed for seeking issuance of directions to the respondents No.2 to 6 to immediately release the payment of four Bills totalling to an amount of Rs.51,31,259/- alongwith interest @ 18% per annum.

The written statement dated 26.02.2021 on behalf of the respondents No.1 to 4 has already been filed wherein it has been averred that the bills, for which the payment in question is being demanded, are disputed since the verification of the said Bills was to be done by the Directorate, Information and Public Relation, Punjab, who has not been impleaded as party in the present petition. Notwithstanding that the aforesaid written statement had been filed by the respondents on 26.02.2021, however, no steps have been taken by the petitioner to controvert the aforesaid objection and against non-joinder of necessary parties.

Apparently, as the generation of the bills and their verification itself are disputed by the respondents which have not been controverted despite the reply having been filed in 2021 and a period of 2½ years having already passed. There is no basis for this Court to assume that any such verification has been done by the concerned Department and that the amount is payable by the respondents.

The question as regard liability thus becomes a disputed question of fact and would not be gone into by a Writ Court. The present writ petition is accordingly dismissed for the said reason.

Liberty is, however, granted to the petitioner to take recourse to the alternative remedies that are available to the petitioner in accordance with law. Needless to mention that the period during which the petition remained pending before this Court shall be kept in mind while computing the limitation.

JULY 18, 2023
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No