

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-6564-2023 (O&M)
Date of decision: 20.04.2023

KALA BALA CO-OPERATIVE L AND C SOCIETY
GURDASPUR

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr.S.K. Chaudhary, Advocate
for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab
for the respondents

VINOD S. BHARDWAJ, J. (Oral)

CM-6088-CWP-2023

The present application has been filed under Section 151 of the
Code of Civil Procedure, 1908 for placing on record Annexure P-4 and P-8.

Application is allowed as prayed for and Annexure P-4 and P-8
is taken on record.

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The instant petition has been filed under Articles 226/227 of the
Constitution of India for the issuance of a writ in the nature of mandamus
directing the respondents to release the amount of Rs. 4.05 lakhs qua the
works executed by the petitioner alongwith interest @ 18% per annum.

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Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted various works i.e. Construction of Helipad in the Government School Gurdaspur and providing barricades, fencing wires for the sake of security and management of the public during the election and white wash and samosam of the premises and building of Government college, Gurdaspur. The petitioner successfully completed the aforesaid work within stipulated time period. However, an amount of Rs. 4.05/- has not been released by the respondent-department to the petitioner.

It is contended that various representations have been served by the petitioner including Legal Notice dated 22.08.2022 to the respondent-authorities for release of due amount.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.5- Executive Engineer, Sub Division No.1, Public Works Department (Bhatom Branch) is directed to look into the Legal Notice dated 22.08.2022 and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Mr. Saurav Verma, Addl. A.G. Punjab appears and accepts notice on behalf of respondents and has no objection to the aforesaid prayer being allowed.

Accordingly, the present petition is disposed of with consent and without commenting on the merits of the claim, with a direction to respondent No.5-Executive Engineer, Sub Division No.1, Public Works Department (Bhatom Branch) to examine the grievance espoused by the

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petitioner in the Legal Notice dated 22.08.2022 and to pass a reasoned and speaking order thereupon within a period of 03 months of the receipt of certified copy of this order after affording an opportunity of hearing to the respective parties.

Needless to mention that in the event any amount is found payable, the same shall be released forthwith and preferably within a period of 03 months of such a decision being taken by the respondent-authorities.

The petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

APRIL 20, 2023
Vishal Sharma

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No