

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-7501-2023
Date of decision: 17.04.2023

DAVINDER SINGH CONTRACTOR

.....Petitioner

VERSUS

STATE OF PUNJAB THROUGH ITS PRINCIPAL SECRETARY &
OTHERS

.....Respondents

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

Present:- Mr. Tejinder Kataria, Advocate
for the petitioner.

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

VINOD S. BHARDWAJ, J. (Oral)

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 due payment qua the works executed by the petitioner alongwith interest @ 12% per annum.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted work of Transportation of Food Grains from the Mandi's to the Storage Centers of Various Procurement Agencies, of Cluster 23 (MUDKI) of Talwandi Bhai Center of District Ferozepur (Punjab) in accordance with Punjab Transportation of Food Grains Policy

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2022-23. The petitioner has completed the entire work as per the allotment within time and as per satisfaction of concerned Food Inspectors of PUNGRAIN. The petitioner has transported 1,67,606 bags of paddy to storage godowns of PUNGRAIN from various mandis but the respondents has not released the payment to the petitioner.

It is contended that a notice/representations dated 10.02.2023 has been made by the petitioner to the respondent authorities for release of due payment. However, no reply of the aforesaid notice/representation has been sent by the respondent-authorities

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.3- Deputy Commissioner-CUM-Convener, District Tender Allotment Committee, Mini Secretariat, Ferozepur (Punjab) is directed to look into the notice/representations dated 10.02.2023 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 in the event such prayer of the petitioner as aforesaid is accepted.

Accordingly, the present petition is disposed of with consent and without commenting on the merits of the claim, with a direction to respondent No.3-Deputy Commissioner-CUM-Convener, District Tender Allotment Committee, Mini Secretariat, Ferozepur (Punjab) to examine the grievance espoused by the petitioner in the notice/representations dated 10.02.2023 and to pass a reasoned and speaking order thereupon within a

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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 17, 2023
Vishal Sharma

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