

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

113

**CWP-7953-2023
Date of decision: 19.04.2023**

THE VIJAY CO-OP. L & C SOCIETY LTD.

.....Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

.....Respondents

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

Present:- Mr. Tajinder Pal Singh Makkar, Advocate
for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab
for respondent No.1.

Mr. Vikrampreet Arora, Advocate
for respondent No.2

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 security amount of Rs. 7,83,667/- 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 various works of construction i.e. Main gate and Cow Catcher in Trust Dev, Scheme Giyani Zail Singh Aveneue vide Memo No.110 dated 31.01.2020, construction of Boundary Wall in Development Scheme Baba Jiwan Singh Nagar vide Memo No. 183 dated

CWP-7953-2023

-2-

24.02.2020, construction of Parking in commercial area of Trust Dev, Scheme Baba Jiwan Singh Nagar vide memo No. 191 dated 28.02.2020 and Providing and Fixing Interlock Tile Pavement (60mm) thick in Radha Krishan Dham vide memo No. 965 dated 10.12.2021. The petitioner has completed the aforesaid works within stipulated time period. However, an amount of Rs. 7,83,667/- deducted as security by the department has not been released to the petitioner till date.

It is contended that various representations have been served by the petitioner including representation dated 17.11.2022 to the respondent No.2-Executive Officer, Improvement Trust, Faridkot, District Faridkot for release of security amount of Rs. 7,83,667/-.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.2-Executive Officer, Improvement Trust, Faridkot, District Faridkot is directed to look into the representation dated 17.11.2022 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 respondent No.1

Mr. Vikrampreet Arora, Advocate appears and accepts notice on behalf of respondent No.2 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.2-Executive Officer, Improvement Trust, Faridkot, District

CWP-7953-2023

-3-

Faridkot to examine the grievance espoused by the petitioner in the representation dated 17.11.2022 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 19, 2023

Vishal Sharma

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