

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-12644-2023 (O&M).
Date of Decision: 01.06.2023.

THE CHHAHAR COOPERATIVE L & C SOCIETY LIMITED
RAMNAGAR AT SUNAM, DISTRICT SANGRUR.

.. Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. K.B.S. Mann, advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been preferred by the petitioner for seeking issuance of direction to the respondents to release the payment of Rs.16,30,000/-, Rs.23,68,000/- and Rs.43,37,000/- qua the works as per work orders for providing/laying inter lock tiles; road gulli chambers and laying RCC slabs in Municipal Council, Sunam, executed by the petitioner, along with interest @ 12% per annum.

It is averred that the works for providing/laying inter lock tiles road gulli chambers and laying chambers and laying RCC slabs in Municipal Council, Sunam, was allotted to the petitioner vide work orders dated 06.01.2022 (Annexures P-1 to P-3).

Learned counsel for the petitioner contends that even though the aforesaid works stand successfully executed, however, the payment

against the execution of the aforesaid work has not been released despite submission of final bills by the petitioner and approval by the competent authority. He contends that in this regard legal notices dated 08.07.2022 (Annexure P-4 to P-6) have been sent by the petitioner and that despite a lapse of more than 11 months since the date of the legal 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 at this stage in case the respondent-authorities are directed to look into the legal notice 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. Deepanjay Sharma, DAG, Punjab, accepts notice on behalf of respondents No.1 and 2/State and Mr. Sanjay Sabharwal, Addl. A.G. Punjab, who by virtue of his assignment is also on the panel of all the statutory corporations and bodies of the Government of Punjab, is directed to and accepts notice on behalf of respondents No.3 and 4 and they have 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.3 - the Executive Officer, Municipal Council, Sunam, District Sangrur, is directed to take note of legal notices dated 08.07.2022 (Annexures P-4 to P-6) 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 after hearing the respective parties.

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.

June 01, 2023

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(VINOD S. BHARDWAJ)

JUDGE

Whether speaking/reasoned

Whether reportable

: Yes/No

: Yes/No