

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-14018-2023
Date of decision: 06.07.2023

THE KARMA CO-OP L AND C SOCIETY LTD.Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHERRespondents

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

Present: - Mr. Satnam Singh, Advocate
for the petitioner.

Ms. Lavanya Paul, DAG, Punjab
For respondent No.1.

Mr. Saurav Verma, Advocate
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been instituted under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus directing the respondents to release the due payment of Rs.6,75,000/- qua the works executed by the petitioner, alongwith interest @ 12% per annum.

Learned counsel for the petitioner contends that the petitioner had executed various works assigned to him from time to time and there has never been any complaint against the works executed by the petitioner. On

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31.12.2021, the work of P/Laying interlocking tiles on the road berm from Gurudwara Ber Sahib to Kutti Road, Guruharsahai was allotted to the petitioner and the same was duly completed within stipulated time period but the due payment has not been released till date. It is further submitted that there is no dispute with regard to successful completion of the works and as well as the amount claimed. The petitioner approached the respondents for a number of times, but nothing fruitful could be fetched. Thereafter, the petitioner submitted numerous representations but of no avail. Lastly, the petitioner had sent a representation dated 08.02.2023 (Annexure P-6) to the respondent No.2 but the respondents neither responded to the same nor did they make the payment of outstanding amount of the petitioner.

Notice of motion.

Ms.Lavanya Paul, DAG, Punjab accepts notice on behalf of respondent No.1 and prays for some time to file response, if any.

Mr. Saurav Verma, 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 accept notice on behalf of respondent No.2. Hence, he accepts notice on behalf of respondent No.2 and also prays for some time to complete instructions and file response.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.2- The Municipal Council, Guruharsahai, District Ferozepur through its Executive Officer is directed to consider and decide the representation dated 08.02.2023 (Annexure P-6) in a time bound manner.

Learned counsel for the respective respondents do not oppose the prayer made by learned counsel for the petitioner.

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Accordingly, in view of the above, with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of while directing respondent No.2 to consider and decide the representation dated 08.02.2023 (Annexure P-6) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of three months from the date of receipt of certified copy of this order.

Needless to mention that upon considering the said legal notice, if any amount is found due and payable to the petitioner, the same shall be disbursed in his favour within a further period of three months.

Petition stands disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

JULY 06, 2023
Vishal Sharma

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