

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

210

CWP-5505-2018
Date of Decision: 27.07.2023

M/S BALAJI TRANSPORT COMPANY

... Petitioner

VERSUS

HARYANA STATE FEDERATION OF CONSUMERS
CO-OPERATIVE WHOLESALE STORES AND ANR.

... Respondents

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

Present: Mr. Dhiraj Chawla, Advocate for the petitioner.
Mr. Pritam Singh Saini, Advocate and
Ms. Vibha Nagar, Advocate for the respondents.

VINOD S. BHARDWAJ, J. (ORAL)

The petition has been filed for issuance of directions to the respondents to grant interest @ 12% per annum on the delayed payment of the security amount of Rs.33,00,000/- and the payment of bills Rs.8,14,550/- totalling to Rs.41,14,550/-.

Apparently and undisputedly, the matter relates to grant of interest on delayed payments released in favour of the petitioner.

Learned counsel for the petitioner, however, fairly submits that the petitioner is willing to withdraw the present petition enabling him to avail alternative efficacious remedy of approaching the Civil Court for seeking the aforesaid relief since various judgments of the High Court have held the petitioners (in the concerned petitions) to be entitled for interest in the cases where there is an inexplicable delay in release of the due payment. The petitioner also seeks liberty to raise all such pleas before the Civil Court and/or any other competent Forum/Authority in appropriate proceedings and at appropriate stage.

The aforesaid prayer is not opposed by the learned counsel for the respondents.

Accordingly, without commenting anything on the merits of the each case, the present petition is disposed of as withdrawn with the liberty as aforesaid.

JULY 27, 2023
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No