

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

101

CWP-26141-2023
Date of decision: 21.11.2023

THE TRIVAINI CO-OPERATIVE L AND C SOCIETY LTD.

.....Petitioner

VERSUS

THE STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Chirag Girdhar, Advocate
for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab.

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 balance payment of Rs. 3,54,812/- qua the work executed by the petitioner alongwith interest @ 12% per annum.

Learned counsel for the petitioner contends that the petitioner has executed various works assigned to it from time to time and there has never been any complaint against the works executed by the petitioner. On 29.12.2021, the work of Concrete Lining of Udaipur Minor at RD 12250 to 15450 was allotted to the petitioner vide Work Order No. 20 dated 29.12.2021. The petitioner has successfully completed the said works and

there is no dispute with regard to the works executed by the petitioner but the due amount of Rs. 3,54,812/- has not been released to the petitioner. The petitioner approached the respondents for a number of times, but nothing fruitful could be fetched. Thereafter, the petitioner submitted numerous representations to the respondents for releasing the balance amount of Rs. 3,54,812/-. Recently, a representation dated 20.07.2023 (Annexure P-3) has been served upon respondent-authorities but the respondents-authorities neither responded to the same nor did they make the payment of outstanding amount to the petitioner.

Notice of motion.

Mr. Saurav Verma, Addl. A.G. Punjab appears and accepts notice on behalf of respondents.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.4 -the Executive Engineer, Canal Devigarh Division (I.B.), Patiala is directed to consider and decide the representation dated 20.07.2023 (Annexure P-3) in a time bound manner.

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

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.4-the Executive Engineer, Canal Devigarh Division (I.B.), Patiala to consider and decide the representation dated 20.07.2023 (Annexure P-3) 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 representation, 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.

NOVEMBER 21, 2023
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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