

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

118

CWP-5330-2024 (O&M).
Date of Decision: 06.03.2024.

M/S SWIFT INTERNATIONAL.COM

.. Petitioner

Versus

THE BHARAT SANCHAR NIGAM LIMITED AND OTHERS

... Respondents

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

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

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to refund the security amount of Rs.8,90,797/- qua the work force for maintenance of Telecom Outdoor Plant in outer area of Samrala of Ludhiana SSA for the year 2018-19 executed by the petitioner along with interest @ 12% per annum.

The petitioner claims to be Government Contractor having been assigned the work of providing work force for maintenance of Telecom Outdoor Plant in outer area of Samrala of Ludhiana SSA for the year 2018-19 vide agreement dated 30.06.2018 (Annexure P-1).

Learned counsel for the petitioner contends that the aforesaid work stands successfully executed and the payment of bills has also been released to the petitioner, however, the security amount as detailed in

paragraph No.3 of the present petition has not been released yet. He contends that in this regard, a representation dated 12.04.2021 (Annexure P-3) followed by subsequent representation dated 21.11.2023 (Annexure P-4) have been sent by the petitioner, however, despite lapse of sufficient reasonable time since the date of representations, neither any decision has been taken thereupon nor has the due security amount been released by the respondents. He further contends that he would be satisfied in case the respondent authorities are directed to look into the representations 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.

Ms. Puneeta Sethi, Advocate, who is present in Court, accepts notice on behalf of the respondents and she has 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.5 - the Assistant General Manager (HR/Planning) BSNL, Telephone Exchange Building, Bharat Nagar Chowk, Ludhiana, is directed to take note of the representation dated 12.04.2021 (Annexure P-3) followed by subsequent representation dated 21.11.2023 (Annexure P-4) 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.

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.

March 06, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No