

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-6679-2024(O&M)
Date of decision: 20.03.2024

M/s Gupta Medicos
... Petitioner
Versus
Postgraduate Institute of Medical Education and Research (PGIMER) and
another
... Respondents

CORAM: HON’BLE MR. JUSTICE ARUN PALLI
HON’BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Rahul Sharma-I, Advocate, for the petitioner.
Mr. Amit Jhanji, Senior Advocate, with
Ms. Eliza Gupta, Advocate, for the respondents.

ARUN PALLI, J. (Oral)

The petitioner has prayed for the following substantive relief:

“Civil Writ Petition under Article 226 of the
Constitution of India praying for the issuance of a Writ
of Mandamus directing the Respondents to refund the
amount deposited by the Petition as security/
performance guarantee etc. (totaling approximately
Rs.10.30 crores) after deducting the outstanding dues of
the Petitioner, which have been determined or are to be
determined by the Respondents.”

Learned counsel for the petitioner submits that prior to the
institution of this petition, the petitioner had even served the respondent-
authority with a representation dated 26.02.2024 (P-4). However, even though
a considerable time has elapsed, the matter has not made any tangible progress.
Thus, interest/rights of the petitioner continues to suffer.

On the asking of the Court, Mr. Amit Jhanji, learned Senior
Advocate appears on behalf of the respondents. He submits that since the

respondent-authority is already in *seisin* of the representation alleged to have been submitted by the petitioner, it shall be expedient if this petition is disposed of, at this stage, to enable the competent authority to consider the concerns/grievances of the petitioner. And pass appropriate orders, in accordance with law.

Learned counsel for the petitioner is agreeable to the course suggested by learned Senior counsel for the respondents. However, he submits that the authorities be directed to take a decision within a specified time.

In response, learned Senior counsel appearing for the respondents submits that necessary orders shall be passed within a period of 2 weeks from today.

In the wake of the position sketched out above, and in terms of the statements made by learned counsel for the parties, the petition stands disposed of. This Court is sanguine that the respondent authority shall consider the matter in the right earnest, and pass the appropriate orders in accordance with law.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(Arun Palli)
Judge

20.03.2024
Rajan

(Vikram Aggarwal)
Judge