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IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-15324-2024 (O&M).
Date of Decision: 08.07.2024.

THE KABAR WACHHA CO-OP L & C SOCIETY LTD. MUDKI,
DISTRICT FEROZEPUR.

... Petitioner

Versus

THE STATE OF PUNJAB AND ANOTHER

... Respondents

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

Present: Mr. Tajinder Pal Singh Makkar, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been preferred by the petitioner under Articles 226/227 of the Constitution of India, seeking issuance of a writ in the nature of mandamus directing the respondents to make the payment of Rs.6,20,709/- (which includes security amount of Rs.3,71,911/- deducted from the petitioner) on account of the work executed by the petitioner along with interest @ 12% per annum.

The petitioner claims to be Government Contractor having been assigned the work of Laying interlocking tiles from Corner of

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Cremation Ground to Kabar Wacha Road vide work Order No.15/1 dated 10.12.2021. A copy of the work order dated 10.12.2021 has been appended with the present petition as Annexure P-1.

Learned counsel for the petitioner contends that the aforesaid work stands successfully executed, however, the payment has not been released. He contends that in this regard, a representation dated 09.11.2023 (Annexure P-3) has been sent by the petitioner and that despite lapse of a period of more than eight months neither any decision has been taken thereupon nor has the due and undisputed payment been released by the respondents. He further contends that he would be satisfied in case the respondent-Authorities are directed to look into the representation 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.

On the asking of the Court, Ms. Niharika Sharma, AAG, Punjab, who is present in Court, accepts notice on behalf of respondent No.1 whereas Mr. Vikram Preet Arora, Advocate, enters appearance and accepts notice on behalf of respondent No.2 and submit that they have 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 respondent No.2-the Executive Officer, Nagar Panchayat, Mudki, District Ferozepur, is directed to take note of the representation dated 09.11.2023 (Annexure P-3) sent by the petitioner and to pass a reasoned and

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speaking order thereupon in accordance with law 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.

July 08, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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