

2024:PHHC:097928



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

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CWP-18055-2024

Date of Decision: 01.08.2024

THE BARGARI CO-OP. L & C SOCIETY LTD.

... Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

... Respondents

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

Present: Mr. T.P.S. Makkar, Advocate for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing the respondents to release the due payment of Rs.3,00,000/- which includes Rs.1,74,800/- as security deducted at the time of making payment of the work executed by the petitioner, alongwith interest @ 12% per annum.

After arguing at some length, learned counsel for the petitioner submits that with regard to his grievance, the petitioner has submitted a representation dated 18.01.2024 (Annexure P-2) but the respondents have neither paid the outstanding dues to the petitioner nor have they taken any action upon the said representation.

Notice of motion.

Ms. Akshita Chauhan, DAG, Punjab accepts notice on behalf of respondent No.1; whereas Mr. Vikram Preet Arora, Advocate appears as proxy counsel on behalf of Mr. M.C. Taya, Advocate and accepts notice on behalf of

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respondent No.2; and they pray for some time to complete instructions and file response(s), if necessary.

Learned counsel for the petitioner, however, contends that he would be satisfied at this stage, in case respondent No.2- Executive Engineer, Municipal Council, Talwandi Bhai, District Ferozepur is directed to consider and decide the representation dated 18.01.2024 (Annexure P-2) submitted by the petitioner, by passing a speaking order in a time bound manner.

Learned counsel for the respondents have no objection to the request 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.2 to consider and decide the representation dated 18.01.2024 (Annexure P-2) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of three months of the 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 favour of the petitioner within a further period of three months.

Petition stands disposed of accordingly.

AUGUST 01, 2024
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(VINOD S. BHARDWAJ)
JUDGE

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