



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-22581-2024
Date of Decision: 09.09.2024

THE BAHMAN WALA CO-OP L & C SOCIETY

... 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.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been instituted under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus directing the respondents to release the due amount of Rs.12,70,883/- qua work executed by the petitioner alongwith interest @ 12% per annum.

Learned counsel for the petitioner contends that the petitioner had executed various works assigned to him from time to time and there has never been any complaint against the works executed by the petitioner. The petitioner was allotted the work of cleaning Weed, Jala, Sarkandia Booti etc. from Mudki Drain RD 0-38000 vide work order No. 10 dated 10.07.2023. The petitioner

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has successfully completed the abovesaid work on 30.08.2023 but the payment of Rs. 12,70,883/- has not been released to the petitioner. He further contends that the petitioner visited the office of the respondents on a number of occasions but the respondents did not release the amount in question. The petitioner had sent number of representations to the respondent-authorities for release of the due amount to the petitioner but no action has been taken upon the same. Recently, the petitioner has served legal notice dated 01.08.2024 to respondent No.5 in which a response letter has been received from the said respondent which is addressed to respondent No.6 for releasing the requisite funds. Hence, the payment in question is not in dispute.

Notice of motion.

Ms. Niharika Sharma, Asstt. A.G. Punjab accepts notice on behalf of the respondents and is unable to dispute the factual aspect as stated in the letters dated 14.08.2024 written by Executive Engineer, Drainage-cum-Mining & Geology Division, Water Resources Department, Punjab, Faridkot to Additional Deputy Commissioner (Rural Development), Sri Muktsar Sahib for releasing of the funds. Hence, the factual aspects stand uncontroverted and undisputed.

Learned Counsel for the petitioner, however, submits that at this juncture, he would be satisfied if the admitted liability is paid to him in a time bound manner.

The present writ petition is disposed of with a direction to the respondent No.5-Executive Engineer, Drainage-cum-Mining & Geology Division, Water Resources Department, Punjab, Faridkot to release the



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admitted liability in favour of the petitioner within a period of three months from the date of receipt of certified copy of this order.

Petition stands disposed of accordingly.

SEPTEMBER 09, 2024
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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