



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

130

CWP-28597-2024 (O&M)

Date of decision: 22.10.2024

Jasbir Kaur Gabbi

...Petitioner

VERSUS

The State of Punjab and others

...Respondents

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

Present :- Mr. TPS Makkar, Advocate for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for directing the respondents to make the payment of Rs. 5,12,685/- (which includes Rs.3,85,885/- security deducted at the time of making the payment of the bills and Rs.1,26,800/- as earnest money deposit) qua the works executed by the petitioner, alongwith interest @ 12% per annum.

2. After arguing at some length, learned counsel for the petitioner submits that with regard to his grievance, the petitioner has submitted a representation dated 22.06.2023 (Annexure P-9) but the respondents have neither paid the outstanding dues to the petitioner nor have they taken any action upon the said representation.

3. Notice of motion.

4. Ms. Akshita Chauhan, DAG Punjab accepts notice on behalf of respondent-State and Mr. Vikram Preet Arora, Advocate, enters appearance and accepts notice on behalf of respondent-Municipal Corporation, Moga.



They both pray for some time to complete the instructions and file response, if necessary.

5. Learned counsel for the petitioner, however, contends that he would be satisfied at this stage, in case respondent No.3- Commissioner, Municipal Corporation, Moga is directed to consider and decide the representation dated 22.06.2023 (Annexure P-9) of the petitioner, by passing a speaking order in a time bound manner.

6. Learned Counsel for respondent- Municipal Corporation, Moga has no objection to the request made by learned counsel for the petitioner.

7. 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 case respondent No.3- Commissioner, Municipal Corporation, Moga to consider and decide the representation dated 22.06.2023 (Annexure P-9) 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.

8. 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.

9. In the event of non-payment of dues within the said period, the same shall be released along with interest @ 6% per annum to be paid to the petitioner and subject to additional payment of a cost of Rs.50,000/- to be deposited with the Poor Patient Welfare Fund (PPWF) of Post Graduate



130 CWP-28597-2024 (O&M)

Institute of Medical Education & Research, Chandigarh. The said additional financial liability of accrued interest and cost shall be subject to recovery from the erring official.

10. Petition stands disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

22.10.2024
Mangal Singh

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