

2024:PHHC:149029



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

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**CWP-30693-2024 (O&M).
Date of Decision: 14.11.2024.**

**THE DHAULA CO-OPERATIVE LABOUR & CONSTRUCTION
SOCIETY LTD.**

.. 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 preferred by the petitioner seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to make the balance payment of Rs.59,83,389/- including security qua the works executed by the petitioner along with interest @ 12% per annum.

2 At the very outset, learned counsel for the petitioner submits that, at this juncture, the petitioner would be satisfied in case the respondent-Authorities are directed to look into the representation [Annexure P-3 (colly)] dated 14.08.2024 sent by the petitioner and the

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grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

3 Notice of motion.

4 On the asking of the Court, Mr. Aditya Sharda, DAG, Punjab, who is present in Court, accepts notice on behalf of respondents No.1 and 2/State and Ms. Swati Dayalan, Advocate, enters appearance and accepts notice on behalf of respondent No.3/Improvement Trust, Barnala, by filing Memo of Appearance and they submit that they have no objection to the aforesaid prayer being granted.

5 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.3 - the Executive Officer, Improvement Trust, Barnala, is directed to take note of the representation [Annexure P-3 (colly)] dated 14.08.2024 sent by the petitioner and to pass a reasoned and 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.

6 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.

7 In the event of non-payment of dues within the said period, the same shall be released along with interest @ 6% per annum from the date of filing of the present petition to be paid to the petitioner and further subject

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to additional payment of a cost of Rs.50,000/- to be deposited with the PGI Poor Patients’ Welfare Fund, Chandigarh. The said additional financial liability of accrued interest and cost shall be subject to recovery from the erring officials.

8 Petition stands disposed of accordingly.

November 14, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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