

2024:PHHC:156604



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.

122

CWP-31973-2024 (O&M).
Date of Decision: 27.11.2024.

THE ROPAR ADARSH CO-OPERATIVE LABOUR &
CONSTRUCTION SOCIETY LTD.

... Petitioner(s)

Versus

THE STATE OF PUNJAB AND OTHERS

... Respondent(s)

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 release balance payment of Rs.30,53,000/- qua the work of Construction of Principal Residence and Common Room at Government Shivalik College, Naya Nangal, District Rupnagar (Civil, Public Health & Electrical Works), executed by the petitioner, along with interest @ 12 % per annum.

2024:PHHC:156604



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 legal notice dated 21.10.2024 (Annexure P-4) 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.

3 Notice of motion.

4 On the asking of the Court, Ms. Akshita Chauhan, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents and submit that she has 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.5 - the Executive Engineer, Construction Division, PWD B & R Branch, Rupnagar, is directed to take note of the legal notice dated 21.10.2024 (Annexure P-4) 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

2024:PHHC:156604



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 27, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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