



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

CWP-13144-2025

Date of Decision : 28.05.2025

THE BASTI SHAMSHDEEN CO-OP L. AND C. SOCIETY LTD.

.....Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Tajinder Pal Singh Makkar, Advocate,
for the petitioner.

Mr. Teevar Sharma, AAG, Punjab.

Mr. Vikram Preet Arora, Advocate,
for respondent no.2.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a *mandamus* directing respondents to make the payment of almost Rs.33.50 lakhs, alongwith interest @ 12% p.a., which was deposited by the petitioner as a security amount, and the same has not been returned to the petitioner, by the Municipal Council, Zira, District Ferozepur, despite completion of work by the petitioner.

2. The main grievance, which propelled the present petitioner to approach this Court, is the indolent and lackadaisical approach of the authority concerned, in not deciding its representation (Annexure P-34).



3. This Court vide order dated 08.05.2025, had passed the hereinafter extracted order:-

“Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a mandamus directing respondents to make the payment of almost Rs.33.50 lakhs, which was deposited by the petitioner as a security amount, and the same has not been returned to the petitioner, by the Municipal Council, Zira, District Ferozepur, despite completion of work by the petitioner.

The main grievance which propelled the present petitioner to approach this Court, is the indolent and lackadaisical approach of the authority concerned, in not deciding its representation (Annexure P-34).

Notice of motion.

Mr.Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of respondent no.1, and waives service, whereas, Mr. Vikram Preet Arora, Advocate, accepts notice on behalf of respondent no.2, and waives service.

Adjourned to 28.05.2025.

In the meanwhile, the competent authority amongst the respondents, i.e. Executive Officer, Municipal Council, Zira, (respondent no.2), is directed to make its all endeavours to take final decision on the representation (Annexure P-34), within a period of 15 days from today, and a copy of the decision, so taken, shall be placed on record, positively, on or before the next date of hearing.

In case the compliance of the aforesaid direction is not made, respondent no.2 shall cause his personal appearance before this Court on the next date of hearing.

To be shown in the urgent list.

It is made clear that no further request for an adjournment shall be entertained on the next date of hearing, on behalf of either of the parties.”

4. In deference to the directions (*supra*), today, learned State counsel, has filed a short reply by way of an affidavit of Mr. Narinder Kumar, Executive Officer, Municipal Council, Zira (respondent no.2), alongwith the speaking order dated 19.05.2025, which is ordered to be taken on record, with a copy thereof supplied to learned counsel for the petitioner.



5. As per the speaking order (*supra*), number of amounts for different works, are found to be due towards the petitioner.

6. Learned counsel appearing for respondent no.2-MC, Zira, submits that he has instructions from the quarter concerned, to undertake before this Court that the amounts, as are found due towards the petitioner-society, in the speaking order (*supra*), will be transferred in his bank account within a period of 03 months from passing of this order.

6. In view of the aforesaid statement suffered by learned counsel for respondent no.2-MC, Zira, no further direction is required to be passed in the instant matter. Therefore, the instant petition is **disposed of**.

7. However, in case, the petitioner-society fetches any grievance on account of non-compliance of the aforesaid undertaking given by learned counsel for respondent no.2-MC, Zira, before this Court, the petitioner-society may file an apt motion for revival of the instant petition.

May 28, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No