

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

110

CWP-7906-2025

Date of Decision : May 01, 2025

**THE AWANKHA COOPERATIVE LABOUR AND
CONSTRUCTION SOCIETY LIMITED, BATHWALI GALI,
GURDASPUR**

-PETITIONER

V/S

**STATE OF PUNJAB THROUGH THE SECRETARY AND
ANOTHER**

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vipin Mahajan, Advocate with
Ms. Chandanpreet Kaur Ahluwalia, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab
for the respondent No.1.

Ms./Mrs. Kavita Arora, Advocate
for the respondent No.2.

KULDEEP TIWARI, J. (ORAL)

1. In deference to the hereinafter extracted order passed by this Court on 21.03.2025, today the learned counsel for the respondent No.2 has placed on record the compliance report dated 28.04.2025, on short affidavit of Mr. Arun Kumar, Executive Engineer, Municipal Council, Dinanagar. The compliance report is accompanied by speaking order dated 25.04.2025, as passed on the petitioner's legal notice.

“1. The gravamen of the lis, as encapsulated in this writ petition, is centered upon the indolent and lackadaisical approach of the authority(ies) concerned inasmuch as despite repeated requests and lapse of considerable time, neither the payment of the bill(s)

has been made to the petitioner, nor any decision has been made on petitioner's legal notice, which is enclosed as Annexure P-7 in this writ petition.

2. During the course of arguments, the learned counsel for the petitioner fairly submits that, at this stage, the petitioner would be satisfied in case a direction is passed upon the respondent(s) concerned to decide the legal notice (supra) in a time bound manner.

3. Notice of motion.

4. Mr. Pardeep Bajaj, D.A.G., Punjab, waives service of notice on behalf of the respondent No.1.

5. Subject to requisite process fee being furnished by the learned counsel for the petitioner, notice be issued to the respondent No.2.

6. Without evincing any opinion as regards the merits of this writ petition, or, as regards the bill(s) being admitted/sanctioned, this Court deems it appropriate to direct the competent authority, amongst the respondents, to make final decision on the legal notice (supra) before the next date of hearing, and, in case any payment is found outstanding, the same shall forthwith be released in favour of the petitioner. Moreover, a copy of the decision so taken, shall be placed on record on the subsequent date of hearing.

7. It is made clear that, in case of non-compliance of the direction (supra), the competent authority shall cause personal appearance before this Court on the subsequent date of hearing.

8. List on 01.05.2025, in the urgent list.

9. It is made clear that, on the subsequent date of hearing, no request for adjournment would be entertained on behalf of either side."

2. The speaking order, which is enclosed as Annexure R-1 with the compliance report (supra), reveals that, complete payment in respect of the works done by the petitioner has been made. It also reveals that, only the security amount is due to be paid, which will be paid only after financial and technical audit, which is to be conducted by a third party to

be appointed by the office of Local Government, after verification of the site and work quality.

3. In view of the above, since a speaking order has already been passed on the petitioner's legal notice and most of the outstanding amount has also been paid, therefore, this Court deems it appropriate to dispose of the present writ petition with a direction upon the competent respondent to, within three months from today, make final decision with regard to the security amount. In case, the above exercise is not completed within the stipulated period, the petitioner is at liberty to re-access this Court, through filing apposite application, for revival of the present writ petition.

4. **Disposed of accordingly.**

May 01, 2025
devinder

(KULDEEP TIWARI)
JUDGE

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