

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

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Civil Writ Petition No.14552 of 2015 (O&M)

Date of Decision: July 28, 2015

M/s Mittal Construction Co. # 137-138, R.V. Shanti Nagar, Baja Road,
Jaitu, District Faridkot, through its proprietor Shakti Mittal son of Shri
Wazir Chand Mittal

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rajesh Kumar Girdhar, Advocate
for the applicant-petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.9200 of 2015

Prayer in this application is for placing on record the amended
memo of parties as by mistake and inadvertently, the wrong party was
impleaded as respondent No.2.

Prayer made in the application, for the reasons mentioned
therein, is allowed.

Amended memo of parties appended with the application is
taken on record. Registry is directed to place the said amended memo of
parties at the appropriate stage of the case.

CWP No.14552 of 2015

It is the contention of the counsel for the petitioner that five
different works were allotted to the petitioner, details of which have been
mentioned in para 2 of the writ petition. Works mentioned at Sr. Nos.1 and

3 in para 2 were completed in the month of May, 2014, at Sr. No.5 in November, 2014 and Sr. Nos.2 and 3 in February, 2015. Bills were raised, which were duly cleared and the sanction was also issued but the amount has not been released to the petitioner. The total amount due to the petitioner from the respondents comes to ₹1,73,71,742/-. When no response was received from the respondents, petitioner submitted a representation dated 25.06.2015 (Annexure P-2) to the Executive Engineer, Water Supply & Sanitation Division No.1, Sri Muktsar Sahib-respondent No.4 but till date no response has been received.

Counsel for the petitioner states that the petitioner at this stage would be satisfied if a direction is issued to respondent No.4 to consider and decide the representation of the petitioner dated 25.06.2015 (Annexure P-2) within some specified time.

In view of the statement made by the counsel for the petitioner, without going into the merits of the case or commenting thereon, the present writ petition is disposed of with directions to the Executive Engineer, Water Supply & Sanitation Division No.1, Sri Muktsar Sahib-respondent No.4, to consider and decide the legal notice of the petitioner dated 25.06.2015 (Annexure P-2), within a period of three months from the date of receipt of certified copy of this order.

In case the claim of the petitioner is accepted, the consequential benefits, if any, be released to it, in accordance with law, within a further period of six weeks. In case the claim of the petitioner is not to be accepted, a well reasoned and speaking order be passed and conveyed to the petitioner forthwith.

July 28, 2015

**(AUGUSTINE GEORGE MASIH)
JUDGE**