

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

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Civil Writ Petition No.8535 of 2015

Date of Decision: May 04, 2015

M/s B.S. Enterprises and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sandeep K. Sharma, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the petitioners states that the work assigned to the petitioners for providing Rural Water Supply Scheme for village Namala, Block Pathankot, District Pathankot, stood executed by the petitioners-firm in terms of the bid dated 22.07.2013, which was accepted vide letter No.4153 dated 17.08.2013 (Annexure P-2). Despite completion of the same the payment has not been released. Counsel for the petitioner states that the completion report was submitted on 08.10.2014 (Annexure P-12) and the final bills were submitted on 10.10.2014 (Annexure P-13) to respondent No.6. Thereafter the petitioner had been making various representation to the respondents for release of its claims but no response thereto has been received. Faced with this peculiar situation, petitioners had served a notice through counsel dated 23.03.2015 (Annexure P-27) to the Principal Secretary, Punjab Water Supply and Sanitation Department, Chandigarh-respondent No.1 with copies to the other respondents. These copies were sent through registered post. Counsel states that the competent

authority to decide the claim of the petitioners is respondent No.6 but no response has been received to the legal notice as well.

Counsel for the petitioners states that the petitioners, at this stage, would be satisfied if a direction is issued to respondent 6-Er. Parveen Kumar, Executive Engineer, Water Supply and Sanitation (WSS) Division, Pathankot, District Pathankot, Punjab, to consider and decide the legal notice dated 23.03.2015 (Annexure P-27), within some specified time.

In view of the statement made by the counsel for the petitioners, 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 and Sanitation (WSS) Division, Pathankot, District Pathankot, Punjab-respondent 6, to consider and decide the legal notice dated 23.03.2015 (Annexure P-27), within a period of two months from the date of receipt of certified copy of this order.

In case the claim of the petitioners is accepted, the consequential benefits, if any, be released to the petitioners, in accordance with law, within a further period of 30 days. In case the claim of the petitioners is not to be accepted, a well reasoned and speaking order be passed and conveyed to the petitioners forthwith.

May 04, 2015
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE