

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

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Civil Writ Petition No.9884 of 2015 (O&M)

Date of Decision: July 16, 2015

Ashok Kumar

...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 petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.7578 of 2015

Prayer in this application is for permission to place on record the legal notice dated 19.05.2015 as Annexure P-4 and also for grant of exemption from filing the certified/original copy of the same.

Application is allowed subject to just exceptions.

Legal notice dated 19.05.2015 is taken on record as Annexure P-4.

CWP No.9884 of 2015

Petitioner has approached this Court asserting that he was allotted the work of reconstruction of Mithri Minor Package RD 0-13647 (Silence RD 6000-9600) by work order dated 05.03.2015 (Annexure P-1). The said work has been completed in the month of March, 2015. For the work assigned to the petitioner, he is entitled to payment of ₹48 lacs, which has not been released to the petitioner till date.

Counsel contends that after the filing of the present writ

petition, the petitioner has served a notice through counsel dated 19.05.2015 (Annexure P-4) upon the Executive Engineer, Bathinda Canal Division, Bathinda-respondent No.4 but no response thereto has been received nor has any payment been released to the petitioner.

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 claim of the petitioner, as has been projected in the legal notice dated 19.05.2015 (Annexure P-4) 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, Bathinda Canal Division, Bathinda-respondent No.4, to consider and decide the legal notice of the petitioner dated 19.05.2015 (Annexure P-4), 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 him, 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 16, 2015
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE