

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

**CWP-28494-2017
Date of decision: -14.12.2017**

M/s Anil Kumar and sons

.....Petitioner

versus

State of Punjab and ors

.....Respondents

CORAM: - HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present: - Mr. Abhishek Singla, Advocate for the petitioner.

G.S. SANDHAWALIA, J (ORAL)

Petitioner seeks a writ in the nature of mandamus under Article 226/227 of the Constitution of India for release of payment of ₹ 4,58, 286/- qua the allotted work of landscaping in Judicial Court Complex, Kapurthala along with interest @ 12 % per annum.

It is the case of the petitioner that work had been allotted to the petitioner vide allotment letter No. 920 dated 28.2.2014 (Annexure P-1) which has been duly completed by the petitioner within the time but the final bill and the outstanding amount has not been released. It is accordingly the case of the petitioner that legal notice dated 7.11.2017 (Annexure P-2) has already been served upon respondents No. 5 and 6 for removal of the said grievance. Respondent No. 5-Executive Engineer, Horticulture Division PWD (B&R) Br. Ludhiana has replied on 14.11.2017 (Annexure P-4) stating therein that payment is to be made by respondent No. 6-Executive Engineer, Construction Division No. 2 PWD (B&R) Br. Kapurthala.

Counsel further submits that he would be satisfied if the legal notice dated 7.11.2017 (Annexure P-2) is decided by respondent No. 6 within the specified time.

Keeping in view the above, no useful purpose will be served by calling upon the respondents to file reply, since the decision making process is not complete.

Accordingly, without commenting upon the merits of the case or the entitlement of the petitioner, the present writ petition is disposed of with the direction to respondent No.6 to decide the legal notice dated 7.11.2017 (Annexure P-2) within a period of 3 months from the receipt of the certified copy of this order.

In case, the amount is found due, the payment shall be released forthwith and in case, the amount is to be denied the same be conveyed to the petitioner by passing a speaking order.

(G.S. SANDHAWALIA)
JUDGE

14.12.2017
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No