

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

CWP 4365 of 2017

Date of decision: 3.3.2017

M/S Akash Deep Constructors, Bathinda

Petitioner

vs.

State of Punjab through its Principal Secretary and ors

Respondent

Present: Mr. PKS Phoolka, Advocate.

M.M.S.BEDI,J.

The petitioner construction company has filed the present writ petition in the nature of mandamus directing the respondents to release the payment due towards the petitioner for the work done, by claiming that the same has been wrongly withheld. In this context, the petitioner has sent a legal notice dated 23.12.2016 (Annexure P-2) to the State Authorities, including respondent No.4.

Counsel submits that the petitioner would be satisfied at this stage in case a direction is issued to respondent No.4 to consider the claim of the petitioner, as raised in the legal notice (Annexure P-2).

Notice of motion. On asking of the Court, notice has been accepted by Mr. SS Chandumajra, Addl.A.G. Punjab. Copy given.

In the interest of justice, this petition is disposed of with a direction to respondent No.4 to consider the legal notice (Annexure P-2) within a period of three months after the receipt of a certified copy of this order. In case the petitioner is held entitled to the amount, the same may be released to the petitioner expeditiously thereafter. It will be the duty of the petitioner to communicate the order to respondent No.4. In case legal notice has not been received by respondent No.4, legal notice appended with the writ petition will be deemed to be legal notice/ representation for consideration of the claim of the petitioner.

March 3 ,2017
TSM

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether Reportable

Yes/ No