

102

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

CWP-16689-2018

Date of decision-11.07.2018

M/s DMR Builders Pvt. Ltd.

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. R.K.Girdhar, Advocate for the petitioner.

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus directing the respondents to release the amount of Rs.21,42,963/- which has been wrongly deducted on account of culture cess qua the works of providing & Laying CC Flooring etc in various villages of District Sri Muktsar Sahib executed by the petitioner along with interest @ 12 % per annum.

Learned counsel for the petitioner refers to bill dated 28.03.2018 (Annexure P-2) to contend that the work allotted to the petitioner stand executed as per the specification of the department. He states that at this stage he would be satisfied, if a direction is issued to respondent No.5- Executive Engineer, Construction Division, PWD, B&R Branch, Gidderbaha, District Sri Muktsar Sahib to consider and decide the legal notice dated 01.06.2018 (Annexure P-3).

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.5- Executive Engineer, Construction Division, PWD, B&R Branch, Gidderbaha, District Sri Muktsar Sahib to consider and decide the legal notice dated 01.06.2018 (Annexure P-3) within six weeks from the receipt of the certified copy of the order. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible, in such eventuality, the consequential relief be allowed, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

(JITENDRA CHAUHAN)
JUDGE

11.07.2018

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No