

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

CWP No.1353 of 2019

Date of decision:-18.01.2019

M/s Manish Kumar Enterprises through its Proprietor Sh.Manish Kumar

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. R.P.Singh Ahluwalia, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

M/s Manish Kumar Enterprises, has filed the instant petition seeking a two fold relief.

(i) Writ of mandamus is sought to direct the respondent-Municipal Corporation, Ambala to release a balance payment of rupees thirty eight lakhs approximately qua the works which are stated to have already been executed by the petitioner alongwith interest.

(ii) Second prayer is for restraining the respondent-Corporation from issuing fresh tender for the maintenance of street lights of Municipal Corporation, Ambala (City Zone and HUDA Zone) till the clearance of the amounts in favour of the petitioner.

Counsel at the very outset confines the scope of the instant petition qua the prayer at serial No.(i) above only.

In the light of the statement made by counsel the prayer at (ii) does not survive.

Counsel submits that the petitioner was awarded the work for

maintenance of street lights of Municipal Corporation, Ambala City and inspite of having executed/done the work in terms of the contract/work order an amount of rupees thirty eight lakhs approximately has not been released and without any justifiable basis.

Without examining the case on merits and without even ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the writ petition with a direction to respondent No.3 i.e.The Commissioner, Municipal Corporation, Ambala, to examine the claim of the petitioner in the light of the representation dated 26.12.2018 (Annexure P-5) expeditiously and in any case within a period of six weeks from the date of receipt of certified copy of this order.

Needles to observe that if any amount is found due the same would be released to the petitioner without any further delay.

Disposed of

(TEJINDER SINGH DHINDSA)
JUDGE

18.01.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No