

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-7002-2019 (O&M)
Date of Decision: 14.03.2019

Rajiv Kumar Aggarwal Builders &
Contractors

--Petitioner

Versus

State of Punjab and others

--Respondents

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

Present:- Mr. P.S. Rana, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J (Oral)

Petitioner is stated to be a sole proprietorship concern and undertaking construction activities.

Counsel submits that various works were allotted to the petitioner by Municipal Corporation, Hoshiarpur and the details of which have been furnished at Annexure P-1 appended along with the petition.

The short grievance raised in the petition is that inspite of the work having been executed and completed, an amount of Rs.60,00,000/- approximately is due from the Corporation including refund of security and earnest money.

Counsel argues that the action of the respondent authorities is arbitrary and the amount in question has been withheld without any justifiable basis.

Counsel makes a submission that a legal notice dated 25.2.2019 (Annexure P-2) has already been served and he would be satisfied, if, the writ petition was to be disposed of with a direction to the concerned authority to examine the same within a stipulated time frame.

Prayer made by counsel is found to be just and reasonable.

In view of the above and without even ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the same with a direction to respondent no.3 i.e. the Superintending Engineer, Municipal Corporation, Hoshiarpur to examine the claim of the petitioner against the backdrop of the legal notice dated 25.2.2019 (Annexure P-2) expeditiously and in any case within a period of eight weeks from the date of receipt of a certified copy of this order.

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

It is, however, clarified that this Court has not examined the claim of the petitioner on merits.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

14.03.2019

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