

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

**CWP-22757-2019 (O&M)
Date of Decision:27.08.2019**

M/s Sakumbari Engineering Works

... Petitioner

Versus

State of Haryana & others

... Respondents

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

Present: Ms. Sangita Dhanda, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

As per pleadings, petitioner is a sole proprietor firm engaged in performance of contractual works of civil nature.

In the years 2017-18, a number of works were allotted to the petitioner/firm (details of which have been furnished in para 3, 4 and 5) by the Commissioner, Municipal Corporation, Panchkula.

Short grievance raised in the instant petition is that inspite of the work in question having been executed and completed, a payment of Rs.62 lakhs approximately has not been released.

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

Further submission is made that a legal notice dated 29.06.2019 (Annexure P-6) has already been submitted before the competent authority and he would be satisfied if the instant writ petition was to be disposed of with a direction to take a final decision thereupon within a stipulated time frame.

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

In view of the above and without ascertaining the correctness of the averments made in the petition and without even going into the merits of the claim raised by the petitioner, I deem it appropriate to dispose of the instant writ petition with a direction to respondent No.2 i.e. the Commissioner, Municipal Corporation, Panchkula and to examine the claim of the petitioner against the backdrop of a legal notice dated 29.06.2019 (Annexure P-6) and to take a final decision thereupon expeditiously and in any case within a period of three months from the date of receipt of a certified copy of this Court.

Needless to observe that in case any outstanding amounts/funds are found due, the necessary funds would be released to the petitioner without any further delay.

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

Disposed of.

27.08.2019

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**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |