

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

CM-3756-CWP-2019 in/and
CWP-32133-2018
Date of decision: 12.3.2019

M/s Oberoi Construction Corporation

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.RK Girdhar, Advocate for the petitioner

Mr.Vikas Mohan Gupta, Addl.AG, Punjab

JITENDRA CHAUHAN, J.

CM-3756-CWP-2019

The prayer in the present application is preponing the date of hearing in the main case, which is fixed for 29.4.2019 and for disposal of the writ petition in terms of the judgment dated 24.1.2019 passed in CWP-30765-2018.

Learned counsel for the respondent-State has no objection, if the prayer made in the application is allowed.

In view of the above, the present application is allowed and the main case is taken on today's board with the consent of the counsel for the parties.

CWP-32133-2018

This writ petition under Article 226 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 due payment of Rs.3,09,47, 289/- including security, culture cess, excise exemption and loss suffered by the petitioner alongwith interest @ 12 % p.a.

Learned counsel for the petitioner states that at this stage he would be satisfied, if a direction is issued to respondent No.4-Executive Engineer, Water Supply & Sanitation Division No.2, Ludhiana to consider and decide the representation dated 28.11.2018 (Annexure P-2) expeditiously.

Learned State counsel is not averse to the suggestion put forth by learned counsel for the petitioner.

Heard.

In view of the above, without advertng to the merits of the case, the present petition is disposed of with a direction to respondent No.4- Executive Engineer, Water Supply & Sanitation Division No.2, Ludhiana to consider and decide the representation dated 28.11.2018 (Annexure P-2) 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 to it, in such eventuality, the consequential relief be allowed to the petitioner, 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.

12.3.2019
gsv

[**JITENDRA CHAUHAN**]
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No