

105-B

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

CWP No.6167 of 2021 (O&M)

DATE OF DECISION: 17.03.2021

M/s Oberoi Tubewell Boring Co.

.....Petitioner

versus

The State of Punjab and others

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Rajesh Kumar Girdhar, Advocate for the petitioner

..

ALKA SARIN, J. (Oral):

Heard through video conferencing.

The prayer in the present petition under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of mandamus directing the respondents to release the payment of Rs.1,55,50,000/- qua the works of Sinking & Installation of Tubewells in various villages of District Hoshiarpur executed by the petitioner.

The learned counsel for the petitioner would contend that the works have been completed, however, the bills have not been cleared by the respondents. The learned counsel would further contend that in this regard a Legal Notice dated 06.02.2021 (Annexure P-3) has been sent to respondent No.3. However, no action/decision has been taken qua the same.

The learned counsel for the petitioner submits that at this stage he limits his prayer and would be satisfied if a direction is issued to respondent No.3 to decide the said Legal Notice dated 06.02.2021 in a time-bound manner.

Notice of motion.

On the asking of the Court, Mr. Sahil Sharma, DAG, Punjab has joined the session through video conferencing (VC) and accepts notice on behalf of respondent No.1. Mr. Simardeep Singh Bedi, Advocate, who has also joined the Court proceedings through VC, accepts notice on behalf of respondent Nos.2 and 3.

In view of the limited prayer made by learned counsel for the petitioner, without commenting on the merits of the case, the present petition is disposed off with a direction to respondent No.3 to take a decision on the Legal Notice dated 06.02.2021 (Annexure P-3) by passing a speaking order in accordance with law expeditiously and in any case within a period of two months from the date of receipt of a certified copy of this order. In case it is found that the amount(s), as claimed, are payable to the petitioner, the same may be released within a period of one month thereafter.

Disposed off.

(ALKA SARIN)
JUDGE

17.03.2021
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NOTE: Whether speaking/non-speaking: Speaking Whether reportable: YES/NO
