

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

111(1)

CWP-2766-2020

Date of Decision:19.09.2022

**The Fatehpur Shri Pandian Co-operative
L/C Society Limited**

.....Petitioner

Versus

The State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

**Present: Mr. Gagandeep Sanwal, Advocate for
Mr. R.S. Manhas, Advocate,
for the petitioner.**

**Mr. Saurav Verma, Addl. A.G., Punjab,
for respondent Nos.1, 2 and 4.**

**Mr. Vibhor Bansal, Advocate,
for respondent No.3.**

VINOD S. BHARDWAJ , J.(Oral)

Prayer in the instant civil writ petition filed 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 amount due to the petitioner along with interest qua the different works executed by him for providing and fixing of interlocking tiles & other miscellaneous works within the area of Nagar Panchayat Talwara, District Hoshiarpur.

Learned counsel appearing on behalf of the petitioner contends that the petitioner had executed various works assigned from time to time without any delay and the completion of the works has been duly certified by the competent authority. Eleven different works of providing and fixing

of interlocking tiles works under the PIDB Scheme were assigned to the petitioner. The details of the same are extracted as under:-

Sr.No.	Name of work	Date of work order	Date of completion	Total Tender Amount	Balance Payment
1.	Providing & Fixing 60 mm Interlocking Tiles House of Vijay House of Sethi	16-05-2016	23-06-2016	257674	25767
2.	P/F 60 MM Interlocking Tiles H/O Thakur Ward No.12	16-05-2016	30-06-2016	249096	24910
3.	P/F 60 MM Interlocking Tiles H/O Parveen Dadwal Ward No.13	16-05-2016	19-07-2016	247490	24749
4.	P/F 60 MM Interlocking Tiles H/O Bodh Raj to Chaman Lal	16-05-2016	30-08-2016	368076	36808
5.	P/F 60 MM Interlocking Tiles H/O Chaman Lal to Sita Mohalla	16-05-2016	09-08-2016	225576	22558
6.	P/F 80 MM Interlocking Tiles Shahi Rasoi Restaurant to H/O Ravinder Ward No.7	16-05-2016	14-08-2016	773128	202095
7.	P/F 60 MM Interlocking Tiles Back Side Kali Mata Mandir	16-05-2016	14-08-2016	174494	17451
8.	P/F 60 MM Interlocking Tiles H/O	16-05-2016	12-08-2016	223642	22364

	Balwant Singh to H/O Kamal Singh				
9.	P/F 60 MM Interlocking Tiles H/O Balbir Singh to Jogindra Devi	16-05-2016	26-10-2016	149184	15041
10.	Const. of Street Near Patwar Khana to Vaid Mohalla Ward No.5	16-05-2016	08-11-2016	53922	5395
11.	P/F 60 MM Interlocking Tiles along Shah Canal Road Ward No.3	15-11-2016	17-03-2017	1066240	106624

He submits that the works in question were completed before March 2017 and the running bills were duly submitted. The completion of the works was also certified by the competent authority to have been executed in accordance with the specifications. He also contends that the said bills have already been passed by respondent No.3 and some amount is still due. A legal notice dated 20.12.2019 (Annexure P-2) in this regard had been sent by the petitioner to respondent No.3-The Executive Officer, Nagar Panchayat Talwara. He further contends that the petitioner would be satisfied in case respondent No.3 is directed to take a conscious decision on the said legal notice and to pass a reasoned and speaking order thereupon after considering the rival submissions of the respective parties.

Notice of motion.

Mr. Saurav Verma, Addl. A.G., Punjab, appears and accepts notice on behalf of respondent Nos.1, 2 and 4, whereas Mr. Vibhor Bansal,

Advocate, appears and accepts notice on behalf of respondent No.3 and files his Vakalatnama, which is taken on record. They have no objection to the present writ petition being disposed of in terms of the prayer so made by the petitioner.

Accordingly, the present civil writ petition is disposed of with a direction to respondent No.3-The Executive Officer, Nagar Panchayat Talwara, Tehsil Mukerian, District Hoshiarpur to pass a reasoned and speaking order on the legal notice dated 20.12.2019 (Annexure P-2) sent by the petitioner within a period of four months from the date of receipt of a certified copy of this order after granting an opportunity of hearing to the petitioner.

Needless to mention that in case any amount is found payable to the petitioner upon such determination by the competent authority, the same shall be disbursed expeditiously and preferably within a period of three months thereafter.

The instant civil writ petition is disposed of in the aforesaid terms.

September 19, 2022
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No