

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

234

CWP-3254-2020

Date of decision: 29.11.2022

M/S SOIGNE ENGINEERING CONSULTANTS

.....Petitioner

VERSUS

UNION OF INDIA AND OTHERS

.....Respondents

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

Present:- R.K. Girdhar, Advocate
for the petitioner.

Mr. Chirag Y Mehta, Advocate with
Mr. Ishwar Pratap Singh Sethi, Advocate for
Mr. Shobit Phutela, Advocate
for the respondents-Union of India.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing the respondents to release the due payment of Rs. 3,92,525/- including security qua the work of Topographical Survey and Formation of X-Section & L-Section and calculation of quantities for new BG Rail Link between Mukerian-Talwara executed by the petitioner alongwith interest @ 12% per annum.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted the aforesaid work and the same was duly completed on 31.03.2017. However, the payment of bills of Rs.3,92,525/- including security has not been released to the

petitioner.

It is further contended that the bills with respect to the aforesaid work have already been sent to the respondents and several representations have been made by the petitioner including the Legal Notice submitted on 12.12.2019 (Annexure P-2) to the respondents No.3-Deputy Chief Engineer, Northern Railway and respondent No.4-Senior Section Engineer/Works Construction Doubling, Northern Railways, Pathankot respectively.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.3-Deputy Chief Engineer, Northern Railway is directed to look into the Legal Notice dated 12.12.2019 (Annexure P-2) and to pass a reasoned and speaking order thereupon in a time bound manner.

Learned counsel appearing on behalf of respondents has no objection in the event such prayer of the petitioner as aforesaid is accepted.

Accordingly, the present petition is disposed of with consent and without commenting on the merits of the claim, with a direction to respondent respondent No.3-Deputy Chief Engineer, Northern Railway to examine the grievance espoused by the petitioner in the Legal Notice dated 12.12.2019 (Annexure P-2) and to pass a reasoned and speaking order thereupon within a period of 03 months of the receipt of certified copy of this order after affording an opportunity of hearing to the respective parties.

Needless to mention that in the event any amount is found payable, the same shall be released forthwith and preferably within a

period of 03 months of such a decision being taken by the respondent-
authorities.

The petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 29, 2022

Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No