

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

247

CWP-6626-2020

Date of decision: 16.11.2022

MOHIT GOEL

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present:- None for the petitioner.

Mr. Sharan Sethi, Addl. A.G. Haryana
for respondent No.1.

Mr. Ashutosh Verma, Advocate
for respondents No.2 to 4.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to release the due payment of Rs. 16,76,882/- qua the work of development of Nehru Park, Outer Side parking in Model Town in Ward No.8 executed by the petitioner along with interest @ 18 per annum.

Briefly summarized the claim of the petitioner is that he being a contractor was allotted work by respondent No.2- Commissioner, Municipal Corporation, Yamuna Nagar for the development of Nehru Park, Outer Side parking in Model Town in Ward No.8. The petitioner completed the aforesaid work within a stipulated time period. A number of representations are stated to have been served by the petitioner for releasing the due payment. A Legal

Notice dated 21.04.2019 (Annexure P-2) was also served to the Commissioner, Municipal Corporation, Yamuna Nagar for seeking release of the due payment amounting to **Rs. 16,76,882/-**.

Taking into consideration the totality of the circumstances noticed above and without commenting on the merits of the case or admissibility of the claim herein as well as the fact that a Legal Notice dated 21.04.2019 (Annexure P-2) espousing the grievances has already been submitted by the petitioner to the respondent authorities, it is deemed appropriate to dispose of the present petition directing the respondent No.2-Commissioner, Municipal Corporation, Yamuna Nagar to decide the Legal Notice dated 21.04.2019 (Annexure P-2) within a period of 03 months of receipt of certified copy of this order after granting an opportunity of hearing to the respective parties.

Needless to mention that in the event the entitlement of the petitioner being established as per law, the payment due to the petitioner shall be released expeditiously and preferably within a further period of three months. Failure to release the said undisputed payment within the aforesaid stipulated time frame, once found due, shall attract interest at the rate of 6% per annum till the date of actual realization.

Petition stands disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 16, 2022

Vishal sharma

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