

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

120

CWP-20687-2022

Date of Decision: 12.09.2022

M/s Arsh Enterprises

....Petitioner

VERSUS

The State of Punjab & ors.

....Respondents

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

Present: Mr. A.S. Pahwa, Advocate,
for the petitioner.

Mr. Saurav Verma, Addl.A.G., Punjab.

VINOD S. BHARDWAJ (Oral)

By means of the present writ petition, the petitioner seeks redressal of his grievance emanating from non-payment of the undisputed dues to the petitioner.

It is contended by learned counsel for the petitioner that respondent No.3-Municipal Corporation, Ludhiana, had allotted the work for supplying skilled/unskilled labour for Zone-D for 12 months to the petitioner vide work order dated 03.10.2019(Annexure P-1). He contends that the said work has been satisfactorily completed and the presence sheet of the labour was duly supplied to the respondents along with all notings, which have been duly approved by the Area Supervisor/Junior Engineer, the Sub Divisional Engineer as well as the Executive Engineer. The same thereafter forwarded to the Superintending Engineer of the concerned zone and the payment has been duly approved. However, despite such approval the same is not being released.

Learned counsel appearing for the petitioner contends that the petitioner has already issued a legal notice dated 30.05.2022 (Annexure P-4) to the respondent-Municipal Corporation and that he would be satisfied in case, the said respondents are called upon to examine the said legal notice and to pass an appropriate speaking order.

In view of the order that this Court intends to pass, notice to Municipal Corporation, Ludhiana, as well as the officials of Municipal Corporation, Ludhiana, is not required to be issued at this stage.

Accordingly, the present petition is disposed of directing respondent No.3-Commissioner, Municipal Corporation, Ludhiana, to consider the legal notice dated 30.05.2022 (Annexure P-4) and to pass a reasoned and speaking order thereupon after granting opportunity of hearing to the petitioner within a period of 4 months from the date of receipt of certified copy of this order. It is further observed that if upon such adjudication of the legal notice, any amount is found payable to the petitioner, the same shall be released expeditiously forthwith in favour of the petitioner and preferably within a period of three months thereafter.

12.09.2022
monika

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No