

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

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**CWP-21796-2022
Date of decision: 21.09.2022**

M/S JAGDISH ELECTRIC WORKS

.....Petitioner

VERSUS

THE STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Chirag Girdhar, Advocate
for the petitioner.

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. 15,11,651/- including security qua the work of Annual Maintenance of Street Light Points falling under Zone 2 & 3 executed by the petitioner alongwith interest @ 12% P.A.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted work of Annual Maintenance of Street Light Points falling under Zone 2 & 3 and the same are also been completed. However, the balance payment alongwith the security qua works satisfactorily executed has not been released. The details of the payment which the petitioner claims to be outstanding are tabulated as under:-

Sr. No.	Details of the works	Amount Payable
1	Annual Maintenance of Street Light Points Failing under Zone No.2 Work Order No. CE/ET/205 dated 17.03.2020 Date of completion : 30.11.2021	Total Amount Rs. 9,94,502/- Paid Rs. 3,28,742/- Balance payable amount Rs. 6,65,760/-
2	Annual Maintenance of Street Light Points Failing under Zone No.3 Work Order No. CE/ET/206 dated 17.03.2020 Date of completion : 30.11.2021	Total Amount Rs. 11,28,657/- Paid Rs. 2,82,766/- Balance payable amount Rs.8,45,891/- including security and earnest money
	Grand Total	Rs. 15,11,651/-

It is contended that the bills in respect to the aforesaid work has already been sent to the respondent and several representations have been made by the petitioner including the legal notice last submitted on 01.08.2022 to the respondent No.3- Municipal Corporation, Jalandhar through its Commissioner.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.3- Municipal Corporation, Jalandhar through its Commissioner is directed to look into the legal notice and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Ms. Niharika Sharma, AAG, Punjab appears and accepts notice on behalf of respondents No.1 and 2.

Mr. Saurav Verma, Addl. A.G. Punjab and by virtue of his

assignment is also on the panel of all the statutory corporations and bodies of the Government of Punjab is directed to, and, accepts notice on behalf of respondent No.3.

Learned counsel appearing on behalf of respondent No.3 has no objection in the event such prayer of the petitioner as above is accepted.

Accordingly, the present petition is disposed with consent and without commenting on the merits of the claim, with a direction to respondent No.3- Municipal Corporation, Jalandhar through its Commissioner to examine the grievance espoused by the petitioner in the legal notice 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 respondent-authorities.

The petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 21, 2022

Vishal sharma

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