

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

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**CWP-22784-2022
Date of decision: 30.09.2022**

THE SAIDAN SULTANPUR COOPERATIVE L AND C SOCIETY LTD.

.....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.

Ms. Niharika Sharma, AAG, Punjab
for respondents No.1.

Mr. Saurav Verma, Addl. A.G. Punjab
for respondent No.2 to 4.

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. 5,35,478/- including security qua the works executed by the petitioner alongwith interest @ 12% per annum.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted various work since the year 2011 and the same have 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 annexed as Annexure (P-2 & P-3).

It is contended that the bills with respect to the aforesaid work have already been sent to the respondent and several representations have been made by the petitioner including the legal notice last submitted on 13.06.2019 to the respondent No.4-Executive Engineer, Water Supply and Sanitation Division, Kapurthala.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.4-Executive Engineer, Water Supply and Sanitation Division, Kapurthala 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.

Mr. Saurav Verma, Addl. A.G. Punjab, 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 respondents No.2 to 4.

Learned counsel appearing on behalf of respondent No.2 to 4 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 No.4-Executive Engineer, Water Supply and Sanitation Division, Kapurthala to examine the grievance espoused by the petitioner in the legal notice (Annexure P-4) 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

SEPTEMBER 30, 2022
Vishal Sharma

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No