

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

121

CWP-25076-2022

Date of decision: 01.11.2022

THE TUNGWALI COOPERATIVE L AND C SOCIETY LIMITED

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- None.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been instituted under Articles 226/227 of the Constitution of India for seeking issuance of directions in the nature of Mandamus to respondents to release the due payment of **Rs. 1,97,624/-** qua the work executed by the petitioner-Society.

Local Bar Association is abstaining from work today.

Briefly summarized, the claim of the petitioner-Society is that they were allotted work of laying of Interlocking Tiles from backside of PSPCL Grid up to Machi Motor Street. The petitioner-Society completed the aforesaid work within a stipulated time period. The petitioner-Society has submitted bills on 18.08.2021, 26.08.2021, 14.09.2021, 22.09.2021, 24.09.2021, 18.11.2021 and 31.01.2021. However, an amount of Rs. 1,97,624/- is still outstanding. A number of representations are stated to have been served by the petitioner-Society for releasing the due payment. A Legal Notice dated 03.09.2022 (Annexure P-5) was also submitted to the Executive Officer, Municipal

Council, Rampura Phul, District Bathinda for seeking release of the due payment amounting to Rs. 1,97,624/-.

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 03.09.2022 (Annexure P-5) 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.5-Executive Officer, Municipal Council, Rampura Phul, District Bathinda to decide the Legal Notice dated 03.09.2022 (Annexure P-5) within a period of 03 months of receipt of certified copy of this order after granting an opportunity of hearing to the respective parties.

In the event, any such amount is found due by the respondent authorities upon consideration of the respective claims, such undisputed amount shall be released to the petitioner forthwith and preferably within a period of 03 months thereafter.

Petition is disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 01, 2022

Vishal sharma

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