

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

**120**

**CWP-25067-2022**

**Date of decision: 01.11.2022**

AMIT KUMAR BASSI

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

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Present:- None.

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**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. 14,77,962/- qua the work of Providing & Laying 60 mm thick ISI marked tiles near H/o Sanjeev Kumar, H/o Mohinder Kaur, Ram Asro to Kullian Road in Ward No.12 executed by the petitioner alongwith interest @ 12% p.a.

Local Bar Association is abstaining from work today.

Briefly summarized, the claim of the petitioner is that the aforesaid work of Providing & Laying 60 mm thick ISI marked tiles mentioned above was allotted to the petitioner on 28.09.2020 (Annexure P-1). The aforesaid work has been successfully executed by the petitioner. However, the amount of Rs. 9,38,717/- qua running bills and an amount of Rs. 5,39,245/- on account of 3<sup>rd</sup> & final bill i.e. total amounting to Rs. 14,77,962/- has not been paid till date to the petitioner. A number of representations are stated to have been served

by the petitioner for releasing the due payment. A Legal Notice dated 19.09.2022 (Annexure P-3) also submitted to the Executive Officer, Municipal Council, Mukerian, District Hoshiarpur for seeking release of the due payment amounting to Rs. 14,77, 962/-

Reliance is also placed on various precedent judgments passed by this Court where undisputed payments are have not been released to the contractors.

Taking into consideration the totality of the circumstances noticed above and without commenting on the merits of the case or admissibility of the claim therein and also the fact that a Legal Notice dated 19.09.2022 (Annexure P-3) espousing the grievances already submitted by the petitioner to the respondent authorities, it is deemed appropriate to dispose of the present petition directing the respondent No.3-Executive Officer, Municipal Council, Mukerian, District Hoshiarpur to decide the Legal Notice dated 19.09.2022 (Annexure P-3) 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