

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

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**CWP-25198-2022 (O&M).
Date of Decision: 02.11.2022.**

M/s Nanda Construction Co.

.. Petitioner

Versus

The State of Punjab and others

... Respondents

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

Present: None

VINOD S. BHARDWAJ, J. (ORAL)

Local Bar association is abstaining from work today.

The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to release the due payment of Rs.13,03,807/- qua the work of Construction of Legislative Assembly Election Counting Hall, and also for making Strong Room for placing EVM for 55 Fatehgarh Sahib Constituency and also for making Strong Room for placing EVM for 56 Amloh Constituency.

Briefly summarised, the claim of the petitioner who is a Government Contractor is that he was assigned the aforesaid work of Construction of Legislative Assembly Election Counting Hall, and also for making Strong Room for placing EVM for 55 Fatehgarh Sahib Constituency and also for making Strong Room for placing EVM for 56 Amloh Constituency as mentioned in paragraph No.2 of the present petition vide allotment letter dated 11.02.2022 (Annexure P-1). The petitioner executed the aforesaid work within the time schedule and a final bill on

completion of work was submitted, however, despite the satisfactory execution of the work and there being no complaint of any nature regarding the due execution of the work, the payment in question has not been released. As no satisfactory reason was being given for non- release of the payment, the petitioner sent a legal notice dated 27.09.2022 (Annexure P-3).

Taking into consideration the aforesaid facts, it is deemed appropriate to issue a direction to the respondent authorities to decide the legal notice sent by the petitioner, in a time bound manner. Accordingly, the present writ petition is disposed of with a direction to respondent No.4 - the Executive Engineer, Construction Division, Punjab, PWD B & R Branch, Sirhind, to look into the grievance espoused by the petitioner in the legal notice dated 27.09.2022 (Annexure P-3) and to pass a speaking order thereupon in accordance with law and preferably within a period of three months from the date of receipt of certified copy of this order after granting an opportunity of hearing to the respective parties.

Needless to mention that in the event any amount is found due and payable upon consideration of the legal notice and the submissions of the respective parties, the undisputed amount shall be released forthwith and preferably within a further period of three months of such adjudication.

Petition stands disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

November 02, 2022.
raj arora

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No