

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

120

**CWP-25888-2022
Date of decision: 15.12.2022**

BHAGWATI ENTERPRISES

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Davinder Kumar, Advocate
for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab
for respondents No.1 & 2.

Mr. Vineet Chaudhary, Advocate
for respondent No.3.

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 No.3 to release the due payment qua work executed by the petitioner alongwith interest @ 24% per annum.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted various work from the year 2016 to 2022 and the same have also been completed. However, the balance payment 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-1).

It is contended that the bill with respect to the aforesaid work and various representations including Legal Notices dated 14.09.2021 & 14.10.2022 respectively have been sent by the petitioner to respondent No.3- Executive Engineer, Water Supply and Sanitation Department, Division No.1, S.A.S Nagar, Mohali for release of his due payment.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.3- Executive Engineer, Water Supply and Sanitation Department, Division No.1, S.A.S Nagar, Mohali is directed to look into the Legal Notices dated 14.09.2021 & 14.10.2022 respectively and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Mr. Saurav Verma, Addl. A.G. Punjab appears and accepts notice on behalf of respondents No.1 & 2.

Mr. Vineet Chaudhary, Advocate entered appearance on behalf of respondent No.3 and filed his power of attorney in the Court today and the same is taken on record. He 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.3-Executive Engineer, Water Supply and Sanitation Department, Division No.1, S.A.S Nagar, Mohali to examine the grievance espoused by the petitioner in the Legal Notices dated 14.09.2021 & 14.10.2022 respectively 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

DECEMBER 15, 2022
Vishal Sharma

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