

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

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CWP-26004-2022

Date of decision: 15.11.2022

M/S SHREE KRISHNA CONSTRUCTION CO.

.....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.

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 balance security payment of Rs.13,50,399/- 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 work of Special Repair of Bathinda Multania Road to Badal-Ghudda Road via Bir Talab-Teona-Multania-Baho Yatri on 21.04.2020 and the assigned work was duly completed. However, the payment of bills qua the work executed by the petitioner has also been released but the balance security amounting to

Rs.13,50,399/- has not been released to the petitioner.

It is further contended that several representations have been made by the petitioner including the Legal Notice submitted on 10.10.2022 (Annexure P-3) to the respondent No.5-Executive Engineer, Construction Division No.2, PWD B & R Branch, Bathinda.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.5-Executive Engineer, Construction Division No.2, PWD B & R Branch, Bathinda is directed to look into the Legal Notice dated 10.10. 2022 (Annexure P-3) 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 and she 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.5-Executive Engineer, Construction Division No.2, PWD B & R Branch, Bathinda to examine the grievance espoused by the petitioner in the Legal Notice dated 10.10.2022 (Annexure P-3) 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

NOVEMBER 15, 2022

Vishal sharma

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