

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

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**CWP-27626-2022
Date of decision:02.12.2022**

BHIM SINGH PANDHER

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Ms. Niharika Sharma, AAG, Punjab
for respondent No.1 & 2.

Mr. Saurav Verma, Addl. A.G. Punjab
for respondents No.3 and 4.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India, 1950 for the issuance of a writ in the nature of mandamus directing the respondents to release the due payment of Rs. 6,51,000/- (pending amount of Rs. 2,00,000/- and Security Amount of Rs. 4,51,000/-) along with interest qua the works executed by the petitioner.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted work regarding construction of new Stadium in Sundar Nagar at Jania Road, Ward No.4 and the same satisfactorily completed by the petitioner within prescribed time limit.

However, the payment of Rs. Rs. 6,51,000/- (pending amount of Rs.

2,00,000/- and Security Amount of Rs. 4,51,000/-) has not been released to the petitioner.

It is further contended that the bills with respect to the aforesaid work have already been sent to the respondents and several representations have been made by the petitioner including the Legal Notice dated 31.10.2022 (Annexure P-5) to the respondent No.4- Executive Officer, Nagar Panchayat, Kot Ise Khan, Tehsil Dharamkot, District Moga.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.4-Executive Officer, Nagar Panchayat, Kot Ise Khan, Tehsil Dharamkot, District Moga is directed to look into the Legal Notice dated 31.10.2022 (Annexure P-5) 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 No.1 and 2.

Mr. Saurav Verma, who is the Additional Advocate General Punjab and would thus be on the panel of all statutory Board and Corporations of the State of Punjab has been requested to accept notice on behalf of respondents No.3 and 4.

He accepts notice on the asking of the Court on behalf of respondents No.3 and 4.

Learned counsel appearing on behalf of respondents No.3 and 4 have 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.4-Executive Officer, Nagar Panchayat, Kot Ise Khan, Tehsil Dharamkot, District Moga to examine the grievance espoused by the petitioner in the Legal Notice dated 31.10.2022 (Annexure P-5) 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 02, 2022

Vishal sharma

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