

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

115

CWP-27606-2022

Date of decision:02.12.2022

M/S TRIVENI CONSTRUCTIONS

.....Petitioner

VERSUS

UNION OF INDIA AND OTHERS

.....Respondents

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

Present:- Dr. Malvika Singh, Advocate for
Mr. Jagdeep Singh Rana, Advocate
for the petitioner.

Mr. Arvind Seth, Advocate
for the 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 due payment of Rs.27,72,280/- along with Security amount of Rs. 12 lakhs (total Rs. 39,72,280/-) qua the works executed by the petitioner alongwith interest @ 24% per annum on account of delay on part of respondents.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted work by the respondents on 06.06.2017 and the assigned work was duly completed by the petitioner. However, the payment of bills qua the work executed by the petitioner amounting to Rs.27,72,280/- along with Security amount of Rs. 12 lakhs (total Rs. 39,72,280/-) 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 18.10.2022 (Annexure P-3) to the respondent No.3-The Garrison Engineer (Air Forces), MC, Chandigarh.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.3-The Garrison Engineer (Air Forces), MC, Chandigarh is directed to look into the Legal Notice dated 18.10.2022 (Annexure P-3) and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Mr. Arvind Seth, Advocate accepts notice on behalf of respondents and 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-The Garrison Engineer (Air Forces), MC, Chandigarh to examine the grievance espoused by the petitioner in the Legal Notice dated 18.10.2022 (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

DECEMBER 02, 2022

Vishal sharma

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