

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

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CWP-27667-2022

Date of decision:02.12.2022

M/S GANDOTRA BUILDERS

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Chirag Girdhar, Advocate
for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab
for the respondents.

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. 90,47,739/- qua the works executed by the petitioner alongwith interest @ 12% p.a.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted work regarding construction of MSME Building and Administrative Building in Mega Food Park at Ladhowal in District Ludhiana and the same was satisfactorily completed by the petitioner within prescribed time limit. However, the payment of Rs. 90,47,739/- 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 01.11.2022 (Annexure P-4) to the respondent No.5- Executive Engineer, Construction Division No.1, Public Works Department (B & R) Branch, Ludhiana.

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.1, Public Works Department (B & R) Branch, Ludhiana is directed to look into the Legal Notice dated 01.11.2022 (Annexure P-4) 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 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.5 Executive Engineer, Construction Division No.1, Public Works Department (B & R) Branch, Ludhiana to examine the grievance espoused by the petitioner in the Legal Notice dated 01.11.2022 (Annexure P-4) 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