

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

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**CWP-28888-2022 (O&M).
Date of Decision: 15.12.2022.**

M/s Anil Malhotra Builders

.. 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.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to release the due payment of Rs.1,44,38,334/- qua the works of Retrofitting of 17-Bays Building, Punjab Irrigation Bhawan and Municipal Bhawan in various Sectors of Chandigarh, executed by the petitioner.

The petitioner claims to be Government Contractor having been assigned the aforesaid work vide allotment letter dated 07.01.2022 (Annexure P-1).

Learned counsel for the petitioner contends that the work of Retrofitting of 17-Bays Building, Punjab Irrigation Bhawan and Municipal Bhawan in various Sectors of Chandigarh, stands successfully executed, however, the payment against the execution of the aforesaid works has not been released yet, even though the final bills submitted by the petitioner

already stand approved by the competent authority. He contends that in this regard, a legal notice dated 10.11.2022 (Annexure P-3) has been sent by the petitioner and that despite a lapse of more than 1 month since the date of the legal notice neither any decision has been taken thereupon nor has the due and undisputed payment been released by the respondents. He further contends that he would be satisfied in case the respondent authorities are directed to look into the legal notice and the grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Saurav Verma, Addl.A.G., Punjab, who is present in Court, accepts notice on behalf of the respondents and he has no objection to the aforesaid prayer being granted.

Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and the respondent No.6 - the Executive Engineer, Provincial Division, Punjab PWD B&R Branch, Room No.317, 17 Bays Building, Sector 17, Chandigarh, is directed to take note of the legal notice dated 10.11.2022 (Annexure P-3) sent by the petitioner and to pass a reasoned and speaking order thereupon in accordance with law and preferably within a period of three months from the date of receipt of certified copy of this order.

Needless to mention that in the event the entitlement of the petitioner being established as per law, the payment due to the petitioner shall be released expeditiously and preferably within a further period of three months.

Petition stands disposed of accordingly.

December 15, 2022	(VINOD S. BHARDWAJ)
raj arora	JUDGE
<i>Whether speaking/reasoned</i>	: Yes/No
<i>Whether reportable</i>	: Yes/No