

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

128

CWP-29122-2022

Date of Decision:19.12.2022

**Royal Industries**

**.....Petitioner**

**Versus**

**State of Punjab and another**

**.....Respondents**

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

**Present: Mr. Sangram Singh Saron and  
Mr. Madhavrao B. Rajwade, Advocates,  
for the petitioner.**

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**VINOD S. BHARDWAJ , J.(Oral)**

Prayer in the instant petition filed under Articles 226/227 of the Constitution of India, 1950 is for issuance of a writ in the nature of mandamus directing respondent No.2 to release the due amount qua the works mentioned in Work Order No.246 dated 03.12.2021 (Annexure P-2).

Briefly, the facts of the present writ petition are that respondent No.2-Municipal Council, Mandi Gobindgarh issued a notice inviting E-Tender No.ME/AME/2021/13. The petitioner bid for the purpose of civil works mentioned at Serial No.7 and he was granted Work Order No.246 for the above mentioned work. The petitioner entered into an agreement with respondent No.2 to commence the work and he successfully completed it within the stipulated timeframe of three months. However, the Counsellor of Ward No.16 made a representation dated 01.04.2022 (Annexure P-4) to

respondent No.2 that the petitioner had used inferior quality material in the work carried out. Thereafter, respondent No.2 issued three different notices to the petitioner for deciding further course of action in the complaint. The petitioner appeared before respondent No.2 and submitted a statement dated 04.05.2022 (Annexure P-6) by way of an affidavit refuting the allegations levelled in the complaint and requested respondent No.2 for releasing the balance outstanding payment but it resulted in no effect.

Learned counsel appearing on behalf of the petitioner contends that at this stage he would be satisfied in case the present petition be treated as his representation and respondent no.2 is directed to decide the same by passing a speaking order in accordance with law.

Notice of motion.

Ms. Niharika Sharma, A.A.G., Punjab, who is present in Court accepts notice on behalf of respondent No.1. Mr. Saurav Verma, Addl. A.G., Punjab, would be deemed to be on the panel of all statutory Boards and Corporations of the State of Punjab by virtue of his appointment, is requested to accept notice on behalf of respondent No.2.

On the asking of the Court, Mr. Saurav Verma, Addl. A.G., Punjab, accepts notice on behalf of respondent No.2. They have no objection to the above prayer being allowed.

Accordingly, without commenting on the merits of the case and with the consent of the parties, the present civil writ petition is disposed of with a direction to respondent No.2-Municipal Council, Mandi Gobindgarh, Local Government, Punjab, to treat the present writ petition as a representation and to pass a speaking and reasoned order in accordance with law, preferably within a period of three months from the date of receipt of a

certified copy of this order after granting an opportunity of hearing to the respective parties.

If the entitlement of the petitioner is established upon consideration of the claim and verification of the record, then the payment be released to him within a further period of three months thereafter.

Petition is disposed of.

December 19, 2022  
seema

(VINOD S. BHARDWAJ)  
JUDGE

Whether speaking/reasoned: Yes/No  
Whether Reportable: Yes/No