

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

145

CWP-29228-2022

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.

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 Nos.04, 06, 07, 20, 08 and 09 dated 23.01.2018 (Annexures P-2, P-5, P-8, P-11, P-14 and P-17), Work Order No.25 dated 09.04.2018 (Annexure P-21) and Work Order No.34 dated 25.06.2018 (Annexure P-23), respectively.

Briefly, the facts of the present writ petition are that respondent No.2-Municipal Council, Mandi Gobindgarh issued a notice inviting E-Tender No.LGMCOUNCIL/2017-18/355. The petitioner bid for the purpose of civil works mentioned at Serial Nos. 2, 5, 8, 10, 13, 15, 19 and 22 and he was granted aforesaid Work Orders for the above mentioned works. The

petitioner entered into an agreement with respondent No.2 to commence the work and he successfully completed it within the stipulated timeframe of two months. Thereafter, the petitioner submitted representation dated 14.11.2018 (Annexure P-26) to 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