

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

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**CWP-29025-2022
Date of decision: 16.12.2022**

M/S OM GROUP

.....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.

Ms. Niharika Sharma, AAG, Punjab
for respondents No.1 & 2.

Mr. Saurav Verma, Addl. A.G. Punjab
for respondent No.3.

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 security amount of Rs. 8,83,572/- qua the works executed by the petitioner alongwith interest @ 12% per annum.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted two development works within the Municipal Limits of Rampura Phul and the same have been duly executed within the stipulated period. However, the security amount deducted from the bills has not been released to the petitioner.

It is contended that various representations including Legal Notice dated 07.10.2022 has been made by the petitioner to the respondent No.3-the Executive Officer, Municipal Council, Rampura Phul, District Bathinda for release of security amount payment.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.3-the Executive Officer, Municipal Council, Rampura Phul, District Bathinda is directed to look into the Legal Notice dated 07.10.2022 and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Ms. Niharika Sharma, AAG, Punjab appears and accepts notice on behalf of respondents No.1 & 2.

Mr. Saurav Verma, who is the Additional Advocate General Punjab and would thus be on the panel of all statutory Board and Corporations of the State of Punjab has been requested to accept notice on behalf of the respondents No.3.

On the asking of the Court, he accepts notice on behalf of respondents No.3 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 Executive Officer, Municipal Council, Rampura Phul, District Bathinda to examine the grievance espoused by the petitioner in the Legal Notice dated 07.10.2022 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 16, 2022

Vishal Sharma

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