

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

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CWP-855-2023

Date of Decision:17.01.2023

M/s R.S. Builders

.....Petitioner

Versus

The State of Punjab and others

.....Respondents

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

**Present: Mr. Rajesh Kumar Girdhar, Advocate,
for the petitioner.**

VINOD S. BHARDWAJ , J.(Oral)

Prayer in the instant civil writ petition filed under Articles 226/227 of the Constitution of India, 1950 is for issuance of a writ in the nature of mandamus directing the respondents to release the due amount qua the work executed by the petitioner along with interest @ 12% per annum.

Briefly, the facts of the present petition are that the petitioner is a Government contractor and the present petition is being filed through its partner. The petitioner was allotted the works of Engaging Manpower on contract basis and other expenses for operation of two Toll Plazas for the Development, Operation & Maintenance of Ropar-Chamkaur Sahib-Neelon Doraha and the same have been successfully completed by him. He has served number of representations as well as legal notice dated 19.12.2022 (Annexure P/4) to respondent Nos.4 and 5 but no action has been taken thereupon.

Learned counsel appearing on behalf of the petitioner contends

that at this stage he would be satisfied, in case, the legal notice (Annexure P/4) is directed to be decided by respondent No.4 by passing a speaking order in accordance with law.

Notice of motion.

Mr. Saurav Verma, Addl. A.G., Punjab, who is present in Court accepts notice on behalf of respondent Nos.1 to 5.

Accordingly, with the consent of the parties, the present civil writ petition is disposed of with a direction to respondent No.4-The Executive Engineer, Construction Division, PWD B&R Branch, Rupnagar to take note of the legal notice dated 19.12.2022 (Annexure P/4) served by the petitioner 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.

January 17, 2023
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No