

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CWP-2824-2023

Date of Decision:13.02.2023

Suman

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

Present: Mr. D.K. Tuteja, Advocate,
for the petitioner.

Mr. Vivek Saini, Addl. A.G., Haryana.

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 husband of the petitioner.

Briefly, the facts of the present petition are that Rajinder Kumar(deceased) husband of the petitioner undertook various works of maintenance allotted to him by the respondent-Department and completed the same in due course of time. Respondent Nos.4 and 5 after passing the bills of undisputed amount of the work done by the husband of the petitioner gave token number of each work for payment. The petitioner moved an application to release the amount in question, however, the same was not made either to the petitioner or her husband during his life time. Thereafter,

the petitioner had served a legal notice dated 23.12.2022 (Annexure P-17) to the respondents, 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 dated 23.12.2022 (Annexure P-17)/present writ petition is directed to be decided by respondent No.4 by passing a speaking order in accordance with law.

Notice of motion.

Mr. Vivek Saini, Addl. A.G., Haryana, who is present in the Court accepts notice on behalf of the respondents.

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, Public Health Engineering, Division No.2, Rohtak, to take note of the legal notice dated 23.12.2022(Annexure P-17)/present petition 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 her within a further period of three months thereafter.

Petition is disposed of.

February 13, 2023
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No