

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

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**CWP-3104-2023  
Date of decision: 15.02.2023**

THE BHAI JETA CO OP L AND C SOCIETY LTD

.....Petitioner

VERSUS

THE STATE OF PUNJAB AND OTHERS

.....Respondents

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

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Present:- Mr. Chirag Girdhar, Advocate  
for the petitioner.

Mr. Vishnav Gandhi, DAG, Punjab  
for respondents No.1 & 2.

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

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

The instant petition has been filed under Articles 226/227 of the Constitution of India, 1950 for the issuance of a writ in the nature of mandamus directing the respondents to release the due payment of Rs. 90,000/- including security 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 work of construction of remaining boundary wall at dump site, vide work order No. 3009 dated 02.03.2021 for estimate amount of Rs. 6,93,000/-. The petitioner has successfully completed this

work within the stipulated period of three months but the said amount has not been released to the petitioner.

It is contended that the bill with respect to the aforesaid work has already been sent to the respondent-authorities and various representations including Legal Notice dated 05.12.2022 have been sent by the petitioner to the respondent No.3-the Executive Officer, Municipal Council, Gidderbaha, District Sri Muktsar Sahib for release of due 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, Gidderbaha, District Muktsar Sahib is directed to look into the Legal Notice dated 05.12.2022 respectively and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Mr. Vishnav Gandhi, DAG, 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-Municipal Council, Gidderbaha, District Sri Muktsar Sahib.

On the asking of the Court, he accepts notice on behalf of respondent 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

respondents No.3-Municipal Council, Gidderbaha, District Sri Muktsar Sahib to examine the grievance espoused by the petitioner in the Legal Notice dated 05.12.2022 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**

**FEBRUARY 15, 2023**

*Vishal Sharma*

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