

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

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CWP-5543-2023

Date of decision: 17.03.2023

M/S MITTAL CONSTRUCTION CO.

.....Petitioner

VERSUS

THE STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Anubhav Bansal, Advocate for
Mr. Arun Bansal, Advocate
for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab
for the respondents.

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 due payment on account of work/project of Augmentation of Water supply scheme Amar Pura Single Village Schemes of Block Abohar, District Fazilka.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted work/project of Augmentation of Water supply scheme Amar Pura Single Village Schemes of Block Abohar, District Fazilka and all other work contingent thereto at a sum of Rs. 4,41,80,376/- in reference to his tender Dated 01.11.2021 vide letter No. 4722 dated

22.12.2021 (Annexure P-1). The petitioner has successfully completed the work well within time to the entire satisfaction of the concerned authorities but the payment 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 latest representation dated 08.02.2023 (Annexure P-4) has been sent by the petitioner to the respondent No.3 i.e. Executive Engineer, Water Supply and Sanitation Division, Abohar 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 i.e. Executive Engineer, Water Supply and Sanitation Division, Abohar is directed to look into the representation dated 08.02.2023 (Annexure P-4) and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Mr. Saurav Verma, Addl. A.G. Punjab appears and accepts notice on behalf of respondents 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 the respondent No.3 i.e. Executive Engineer, Water Supply and Sanitation Division, Abohar to examine the grievance espoused by the petitioner in the representation dated 08.02.2023 (Annexure P-4) 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

MARCH 17, 2023
Vishal Sharma

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