

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

111

CWP-5098-2023

Date of Decision:15.03.2023

M/s Jagson Developers

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

**Present: Mr. Balbir Singh Jaswal, Advocate,
for the petitioner.**

**Mr. Deepanjay Sharma, D.A.G., Punjab,
for respondent Nos.1, 3 and 4.**

**Mr. Saurav Verma, Addl. A.G., Punjab,
for respondent Nos.2 and 5.**

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 along with interest @ 18% per annum qua the work executed by the petitioner.

Briefly, the facts of the present petition are that the petitioner-Contractor is engaged in construction of various National and State Highways including Bridge & Roads. Respondent No.3 allotted the work for special repair of various Link Roads falling in Market Committee, Rayya to the petitioner and he successfully completed the said work to the entire

satisfaction of the authorities. The petitioner requested the respondents to consider and release the due payment but in spite of various letters written to them, the respondents failed to release the amount till date. Thereafter, the petitioner had served a legal notice dated 09.06.2022 (Annexure P-5) to the respondents, but no action has been taken thereupon. Even after serving the legal notice, a reminder was also sent by the petitioner to the respondents, but till date they have failed to release the due payment of the work executed.

Learned counsel appearing on behalf of the petitioner contends that at this stage he would be satisfied, in case, the legal notice dated 09.06.2022 (Annexure P-5) is directed to be decided by respondent No.4 by passing a speaking order in accordance with law.

Notice of motion.

Mr. Deepanjay Sharma, D.A.G., Punjab, who is present in the Court accepts notice on behalf of respondent Nos.1, 3 and 4.

Mr. Saurav Verma, Addl. A.G., Punjab, who would be deemed to be on the panel of all statutory Boards and Corporations of the State of Punjab by virtue of his appointment, is requested to accept notice on behalf of respondent Nos.2 and 5.

On the asking of the Court, Mr. Saurav Verma, Addl. A.G., Punjab, accepts notice on behalf of respondent Nos.2 and 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, Provincial Division, PWD B&R Branch, Opposite Calibration Mall, Batala Road, Amritsar, to take note of the legal notice dated 09.06.2022 (Annexure P-5) 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.

March 15, 2023
seema

(VINOD S. BHARDWAJ)
JUDGE

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