

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

116

**CWP-5165-2023
Date of decision: 15.03.2023**

HARMESH LAL

.....Petitioner

VERSUS

THE STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Chirag Girdhar, 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 balance amount of Rs.5,46,437/- 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 Up-gradation of Offices for persons with disability at Phagwara in District Kapurthala. The petitioner immediately commenced these works and the 1st running bills of these works have also been passed in July 2022 but the payment of these bills has not

been released to the petitioner. The details of the bills are mentioned in the Para No.3 of the petition.

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 07.02.2023 (Annexure P-3) has been sent by the petitioner to the respondent No.4-Executive Engineer, Construction Division No.2, PWD, B & R Branch, Kapurthala 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.4-Executive Engineer, Construction Division No.2, PWD, B & R Branch, Kapurthala is directed to look into the Legal Notice dated 07.02.2023 (Annexure P-3) 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 respondent No.4-Executive Engineer, Construction Division No.2, PWD, B&R Branch, Kapurthala to examine the grievance espoused by the petitioner in the Legal Notice dated 07.02.2023 (Annexure P-3) 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 15, 2023
Vishal Sharma

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