

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CWP-6024-2023

Date of Decision:23.03.2023

The Ramdasia Phulewala Labour and Construction
Society Limited

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. Laghuinder Singh Sekhon, Advocate,
for the petitioner.

VINOD S. BHARDWAJ , J.(Oral)

Prayer in the instant civil writ petition filed under Article 226 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 qua the work executed by the petitioner.

Briefly, the facts of the present petition are that the petitioner is a Labour and Construction Society situated at village Phulewala, District Moga. Respondent No.4 allotted various works regarding interlocking tiles pavers and construction of drain in street Pritam Kaur Nurse Wali in Ward No.12 to the petitioner which were completed satisfactorily within the stipulated time. The bills were cleared by the respondents, however, after completion of the work in question, an amount of Rs.8,00,000/- is pending

which has not been released by them. The petitioner approached the respondents to consider and release the due payment but in spite of various requests, the respondents have failed to release the amount till date. Thereafter, the petitioner had served a legal notice dated 10.01.2023 (Annexure P/4) 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 10.01.2023 (Annexure P/4) is directed to be decided by respondent No.4 by passing a speaking order in accordance with law.

Notice of motion.

Ms. Niharika Sharma, A.A.G., Punjab, who is present in the Court accepts notice on behalf of respondent Nos.1 and 2.

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.3 to 5.

On the asking of the Court, Mr. Saurav Verma, Addl. A.G., Punjab, accepts notice on behalf of respondent Nos.3 to 5.

Accordingly, with the consent of the parties, the present civil writ petition is disposed of with a direction to respondent No.4-Executive Officer, Municipal Council, Baghapurana, District Moga, to take note of the legal notice dated 10.01.2023 (Annexure P/4) 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 23, 2023
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No