

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

121

CWP-6526-2023
Date of decision: 28.03.2023

M/S JAGSON DEVELOPERS

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present: - Mr. Ankit Bhardwaj, Advocate
Mr. Balbir Singh Jaswal, Advocate
for the petitioner.

Ms. Niharika, AAG, Punjab.
for respondent No.1.

Mr. Saurav Verma, Advocate
for respondents No.2 & 3.

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 pending security amount of Rs. 21,25,246/-.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted work of Development/Improvement and Strengthening of road in Division No.1 vide work No. G33/15 dated 18.03.2020 for a sum of Rs. 1,79,22,791/- on certain terms and conditions.

The petitioner complete the work within prescribed time. The respondents

after verifying the work executed by the petitioner passed the bill. However the security amount of Rs. 21,25,246/- has not been released to the petitioner.

It is contended that a various representations including Legal Notices dated 09.10.2022 and 24.12.2022 respectively have been made by the petitioner to the respondent-authorities for release of security amount.

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 Engineer-I, (Civil), Municipal Corporation, Amritsar is directed to look into the Legal Notices dated 09.10.2022 and 24.12.2022 respectively and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Ms. Niharika Sharma, AAG, Punjab accepts notice on behalf of respondent No.1.

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.2 & 3.

On the asking of the Court, he accepts notice on behalf of respondents No.2 & 3 and has no objection if the prayer is allowed.

Accordingly, the present petition is disposed of with consent and without commenting on the merits of the claim, with a direction to respondent No.3-The Executive Engineer-I, (Civil), Municipal Corporation, Amritsar to examine the grievance espoused by the petitioner in the Legal

Notices dated 09.10.2022 and 24.12.2022 respectively 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 28, 2023

Vishal Sharma

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