

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

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**CWP-6806-2023 (O&M).
Date of Decision: 29.03.2023.**

M/s RR Industries

.. Petitioner

Versus

The State of Punjab and others

... Respondents

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

Present: Mr. Rajesh Kumar Girdhar, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to release the due payment of Rs.41,73,663/- including earnest money qua the work of Rehabilitation of Green Belt Children friendly Park near L type play park at Metro Road, Jamalpur Zone B executed by the petitioner along with interest @ 12%.

The petitioner claims that the work of Rehabilitation of Green Belt Children friendly Park near L type play park at Metro Road, Jamalpur Zone B, was allotted to the petitioner-company vide allotment letter dated 31.05.2021 (Annexure P-1).

Learned counsel for the petitioner contends that the aforesaid work of stands successfully executed and the completion certificates (Annexure P-3) was also issued, however, the payment against the execution of the aforesaid work has not been released yet, even though the

final bills submitted by the petitioner already stand approved by the competent authority. He contends that in this regard, a legal notice dated 03.03.2023 (Annexure P-4) has been sent by the petitioner and that despite lapse of sufficient time since the date of the legal notice neither any decision has been taken thereupon nor has the due and undisputed payment been released by the respondents. He further contends that he would be satisfied in case the respondent authorities are directed to look into the legal notice and the grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

Notice of motion.

Ms. Niharika Sharma, AAG, Punjab, accepts notice on behalf of respondents No.1 and 2 and Mr. Sanjay Sabharwal, Advocate, accepts notice on behalf of respondent No.3 whereas Mr. Saurav Verma, Addl. A.G., Punjab, who by virtue of his assignment is also on the panel of all the statutory corporations and bodies of the Government of Punjab, is directed to and accepts notice on behalf of respondents No.4 to 6, and they have no objection to the aforesaid prayer being granted..

Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and the respondent No.4 - the Commissioner, Municipal Corporation, Ludhiana, is directed to take note of the legal notice dated 03.03.2023 (Annexure P-4) sent by the petitioner and to pass a reasoned and speaking order thereupon in accordance with law and preferably within a period of three months from the date of receipt of certified copy of this order.

Needless to mention that in the event the entitlement of the petitioner being established as per law, the payment due to the petitioner shall be released expeditiously and preferably within a further period of three months.

Petition stands disposed of accordingly.

March 29, 2023

(VINOD S. BHARDWAJ)

raj arora

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No