

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-8391-2023

Date of Decision: 24.04.2023

GURU NANAK ENGINEERING WORKS

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. Chirag Girdhar, Advocate for
Mr. R.K. Girdhar, Advocate for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been instituted under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus directing the respondents to make the due payment of Rs.22,40,442/- qua the works of providing estate water supply & UGSR estate sewerage including septic tank and Soakage Pit, Fire Fighting System for construction of ITI Niari (under deposit works) executed by the petitioner, alongwith interest @ 18% per annum.

Learned counsel for the petitioner contends that the petitioner had executed various works assigned to him from time to time and there has never been any complaint against the works executed by the petitioner. During the year 2021-22, the aforesaid works were allotted to the petitioner vide different allotment letter/quotations. The petitioner immediately commenced the work and executed the same within stipulated time period, but the due payment has not been released till date. The works executed and

the payment in lieu thereof has been specifically detailed in tabulated form in paragraph No.3 of the petitioner. The petitioner sent various letters and representations and even visited the office of the respondents to get his payment released, but all in vain. The copy of latest representation dated 21.12.2022 is appended alongwith the present petition as Annexure P-5. However, no action has been taken thereupon so far.

Notice of motion.

Mr. Saurav Verma, Addl. A.G., Punjab accepts notice on behalf of the respondents and prays for some time to complete instructions and file response.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if the respondent No.5- the Executive Engineer, Construction Division No.1, Pathankot is directed to consider and decide the representation dated 21.12.2022 (Annexure P-5) in a time bound manner.

Learned State Counsel does not oppose the prayer made by the learned counsel for the petitioner.

Accordingly, in view of the above, with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of while directing respondent No.5 to consider and decide the representation dated 21.12.2022 (Annexure P-5) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of three months from the date of receipt of certified copy of this order.

Needless to mention that upon considering the said representation, if any amount is found due and payable to the petitioner, the same shall be disbursed in favour of the petitioner within a further period of three months.

Petition stands disposed of accordingly.

24.04.2023
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No