

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-10029-2023
Date of decision: 10.05.2023

M/S H R AND COMPANYPetitioner

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

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

Present:- Mr. Chirag Girdhar, Advocate
for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab
for 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 due payment of Rs.49,58,469/- including security 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 providing Water Supply Scheme Village Burj Hari Singh, Bifurcation from existing Water Supply Scheme Talwandi Rai, Block Raikot, District Ludhiana, under Head 4215/M. The petitioner has immediately commenced this work and the 1st, 2nd & 3rd

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running bills has been passed but its payment has not been released to the petitioner. The details regarding the said bills are mentioned at Para No. 3 of the present writ petition.

It is contended that the bills with respect to the aforesaid work and various representations have already been sent by the petitioner to the respondent-authorities. Recently a representation dated 13.04.2023 (Annexure P-3) has been sent by the petitioner to the respondent No.5-the Executive Engineer, Water Supply and Sanitation Division No.1, Ludhiana 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.5-the Executive Engineer, Water Supply and Sanitation Division No.1, Ludhiana is directed to look into the representation dated 13.04.2023 (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.5-the Executive Engineer, Water Supply and Sanitation Division No.1, Ludhiana to examine the grievance espoused by the petitioner in the representation dated 13.04.2023 (Annexure P-3) and to pass a reasoned and speaking order thereupon within a period of 03 months of the

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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

MAY 10, 2023
Vishal Sharma

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