

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-10159-2023
Date of decision: 11.05.2023

THE G.G.S. COOPERATIVE L AND C SOCIETY LTDPetitioner

VERSUS

THE STATE OF PUNJAB AND OTHERSRespondents

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

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

Ms. Niharika Sharma, AAG, Punjab
for respondent No.1 & 2.

Mr. Vikram Preet Arora, Advocate
for respondent No.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 due payment of Rs.1,63,087/- including security and earnest 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 cleaning of pond at Basti Shan Ke on 03.08.2021. The petitioner has immediately commenced this work and has

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successfully completed this work on 27.08.2021. The payment of bills has been released to the petitioner but the total security amount of Rs.1,44,887/- alongwith earnest money of Rs. 18,200/- has not been released to the petitioner till date.

It is contended that various representations including Legal Notice dated 05.04.2023 has been sent by the petitioner to the respondent No.3-Executive Officer, Nagar Panchayat, Mamdot, District Ferozepur (Annexure P-3) for release of due payment.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case respondent No.3-Executive Officer, Nagar Panchayat, Mamdot, District Ferozepur (Annexure P-3) is directed to look into the representation dated 05.04.2023 (Annexure P-3) and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Ms. Niharika Sharma, AAG, Punjab appears and accepts notice on behalf of respondents No.1 & 2.

Mr. Vikram Preet Arora, Advocate appears and accepts notice on behalf of respondent No.3 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 the respondent No.3-Executive Officer, Nagar Panchayat, Mamdot, District Ferozepur (Annexure P-3) to examine the grievance espoused by the petitioner in the Legal Notice dated 05.04.2023 (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 11, 2023

Vishal Sharma

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