

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

147

**CWP-12625-2023 (O&M).
Date of Decision: 01.06.2023.**

TARUN BANSAL CONTRACTOR

.. Petitioner

Versus

THE STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. Chirag 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 payment of Rs.31,47,727/- including earnest money qua the work of construction of proposed New Bus Stand at Rampura Phul executed by the petitioner along with interest @ 12% per annum.

It is averred that the work of construction of proposed New Bus Stand at Rampura Phul was allotted to the petitioner vide work order dated 24.12.2021 (Annexure P-1).

Learned counsel for the petitioner contends that the aforesaid works stands successfully executed and, 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 representation dated 28.04.2023 (Annexure P-3) followed by subsequent representation dated 27.05.2022 (Anexure P-4) have been sent by the petitioner and that despite a lapse of more than 1½ months since the date of the first representation 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.

Mr. Deepanjay Sharma, DAG, Punjab, accepts notice on behalf of respondents No.1 and 2/State and Mr. Sanjay Sabharwal, 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 respondent No.3 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.3 - the Executive Officer, Municipal Corporation, Rampura Phul, is directed to take note of representation dated 28.04.2023 (Annexure P-3) followed by subsequent representation dated 27.05.2022 (Anexure 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.

June 01, 2023

raj arora

(VINOD S. BHARDWAJ)

JUDGE

Whether speaking/reasoned

Whether reportable

: Yes/No

: Yes/No