

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-14084-2023
Date of decision: 06.07.2023

SHERE PUNJAB CO-OPERATIVE LABOUR AND CONSTRUCTION
SOCIETY LTD

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present: - Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab.

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 release the due payment of approx. Rs. 8 lacs qua the works executed by the petitioner, alongwith interest.

Learned counsel for the petitioner contends that the petitioner had executed various works assigned to him from time to time which was completed satisfactorily and well within time. The petitioner was allotted work of repair of School Building of Govt. Middle (Sr. Secondary) School Sakroudi District Sangrur and repair of school building of Govt. School

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Batrana District Sangrur and the same was duly completed but the due payment of approx. Rs. 8 lacs has not been released till date. The details of the works and the amount payable to the petitioner have been duly given in paragraph No.3 & 4 of the petition. It is further submitted that there is no dispute with regard to successful completion of the works and as well as the amount claimed. The petitioner approached the respondents for a number of times, but nothing fruitful could be fetched. Thereafter, the petitioner submitted numerous representations but of no avail. Lastly, the petitioner served a legal notice dated 01.05.2023 (Annexure P-4) upon respondents-authorities but the respondents neither responded to the same nor did they make the payment of outstanding amount to the petitioner.

Notice of motion.

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

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.2- Executive Engineer, Department of Public Works (Bridges and Roads Branch), Punjab is directed to consider and decide the legal notice dated 01.05.2023 (Annexure P-4) in a time bound manner.

Learned counsel for the respective respondents do not oppose the prayer made by 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.2 to consider and decide the legal notice dated 01.05.2023 (Annexure P-4) by passing a reasoned and speaking order after affording an opportunity of hearing to the

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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 legal notice, if any amount is found due and payable to the petitioner, the same shall be disbursed in his favour within a further period of three months.

Petition stands disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

JULY 06, 2023
Vishal Sharma

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