

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-14516-2023
Date of decision: 11.07.2023

M/S ABNASH KUMAR BHOLA

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present: - None 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 balance payment of Rs.6,29,737/- including security and earnest money qua the works executed by the petitioner.

From the perusal of the petition, it is noticed 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. On 07.12.2020, the work of Reconstruction (in concrete lining) of Malookpur Disty RD 143000 to 148000 was allotted to the petitioner, which has been

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duly completed but the payment of final bills, security and earnest money of these work has not been released till date. The petitioner approached the respondents for a number of times, but nothing fruitful could be gained. Thereafter, the petitioner submitted numerous representations but of no use. At last, the petitioner served a legal notice dated 13.05.2023 (Annexure P-3) upon respondent No.4 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, who is present in Court, accepts notice and prays for some time to complete instructions and file response, if any.

However, in the considerate opinion of this Court, it would be appropriate and in the fitness of things if respondent No.4- The Executive Engineer, Abohar Canal Division, Canal Colony, Abohar, District Fazilka is directed to consider and decide the legal notice dated 13.05.2023 (Annexure P-3) in a time bound manner.

Learned State Counsel does not oppose the same.

Accordingly, in view of the above, with the consent of the learned State Counsel and without commenting anything on the merits of the case, the present petition is disposed of *in absentia* while directing respondent No.4 to consider and decide the legal notice dated 13.05.2023 (Annexure P-3) 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.

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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.

Parties be informed accordingly.

(VINOD S. BHARDWAJ)
JUDGE

JULY 11, 2023
Vishal Sharma

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