

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

132

CWP-14515-2023
Date of decision: 11.07.2023

M/S OBEROI CONSTRUCTION CORP.

.....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.24,07,572/- alongwith interest @ 18% per annum.

From the perusal of the petition, it is noticed that the petitioner was allotted various work by the respondents on 02.05.2022 and the same has been duly completed by the petitioner within stipulated time period. The petitioner submitted his fourth running bill in the month of February 2023 to the respondents but the due amount 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 representations dated 17.03.2023 (Annexure P-5) 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, Water Supply and Sanitation Division, Abohar is directed to consider and decide the representation dated 17.03.2023 (Annexure P-5) 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 representation dated 17.03.2023 (Annexure P-5) 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.

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