

2023:PHHC:117249

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

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**CWP-19465-2023
Date of Decision: 04.09.2023**

**GANGA CONSTRUCTION SHOP NO.216-A NEW ANAJ
MANDI, KURUKSEHTRA**

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Aditya Bhushan, Advocate for the petitioner.

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 payment of running bills of the petitioner Firm alongwith interest @ 18% per annum.

Learned counsel for the petitioner contends that the petitioner is a Firm registered at Kurukshetra and working in different fields of Construction. The petitioner firm was allotted work order by the department through respondent No.5 vide work order No.3816 and 3810 dated 22.12.2021 and work order No.3828 dated 23.12.2021. Thereafter, the petitioner firm executed the work allotted to it. The details of the works executed and the amount(s) outstanding qua the said works are duly given in paragraph No.4 of the present writ petition. The petitioner has requested the respondents so many times to release the outstanding payment, but nothing fruitful could be fetched till date. The petitioner firm is facing very hardships due to non-releasing of outstanding dues. At last, the petitioner firm served a legal notice 14.04.2023 (Annexure

P-11) upon respondents No.1 to 5 but the respondents have neither taken any action thereupon till date nor did they make the payment.

Notice of motion.

Mr. Vivek Saini, Addl. A.G., Haryana accepts notice on behalf of the respondents and prays for some time to complete instructions and file response, if necessary.

Learned counsel for the petitioner submits that at this juncture, he would be satisfied if respondent No.4- Chief Executive Officer, Zila Parisad, Panchkula, Mini Secretariat, Panchkula is directed to consider and decide the legal notice 14.04.2023 (Annexure P-11) in a time bound manner.

Learned State Counsel does not oppose the prayer made by learned counsel for the petitioner.

Accordingly, in view of the above and with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of while directing the respondent No.4 to consider and decide the legal notice 14.04.2023 (Annexure P-11) 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 favour of the petitioner within a further period of three months.

04.09.2023
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No