IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH

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CWP-22996-2023 (O&M).
Date of Decision: 11.10.2023.

BALWINDER SINGH DHANOA

.. 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 make the due payment of Rs.60,53,300/- qua the work of patch work on Old Morinda Ropar Road KM 5.04 to 18.03 KM under Head 3054 executed by the petitioner along with interest @ 12% per annum.

Learned counsel for the petitioner contends that the aforesaid work allotted to the petitioner vide EE No.2760 dated 17.03.2023 (Annexure P-1) stands successfully executed, 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, a legal notice dated 20.09.2023 (Annexure P-4) has been sent by the petitioner and that despite a lapse of about 20 days since the date of the legal notice neither any

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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.

On the asking of the Court, Mr. Sanjay Sabharwal, Addl. A.G. Punjab, who is present in Court, accepts notice on behalf of the respondents and he has 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.5 - the Executive Engineer, Provincial Division, PWD (B&R) Branch, Mohali, is directed to take note of the legal notice dated 20.09.2023 (Annexure 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.

October 11, 2023 **(VINOD S. BHARDWAJ)**
raj arora **JUDGE**

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

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