

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

114

CWP-23878-2023 (O&M).
Date of Decision: 19.10.2023.

AL-HASSAN INTERLOCKING TILES AND CONTRACTOR

.. Petitioners

Versus

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Afzal Hussain, 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 respondent No.3 to decide legal notice dated 30.04.2023 (Annexure P-1).

Learned counsel for the petitioner contends that the petitioner is a registered firm working as a contractor and provides material for construction. It is submitted that petitioner had supplied stone mettle 65 mm and stone mettle 40 mm, Road Roller and Water Tanker as well as other services to execute the work in the Lohinga Kalan Gram Panchayat. It is submitted that a total amount of Rs.13,41,792/- approximately is still pending with the respondent No.3 but the same is not being released despite the work having been completed to the satisfaction of the Department. He contends that in this regard, a legal notice dated 30.04.2023 (Annexure P-1) has been sent by the petitioner, however, despite a lapse of about six months

neither any 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.

Mr. Pankaj Mulwani, DAG, Haryana, accepts notice on behalf of 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.3 - the Block Development and Panchayat Officer, Block, Punhana, District Nuh, is directed to take note of the legal notice dated 30.04.2023 (Annexure P-1) 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 19, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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