

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-27442-2023 (O&M).
Date of Decision: 07.12.2023.

THE MEHNA MOHALLA CO-OP L & C SOCIETY LTD. MEHNA
CHOWK, BATHINDA

.. 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 release the balance payment of Rs.4,76,190/- including security and earnest money qua the works of providing interlocking pavers in various streets executed by the petitioner along with interest @ 12% per annum.

Learned counsel for the petitioner contends that the petitioner has executed various works assigned to it from time to time and one of the allotment letter has been appended with the present petition as Annexure P-1. The details of the works successfully completed and the amount payable as averred in para No.3 of the petition are extracted as under: -

Sr.No.	Details of the works	Amount payable
1	P/L Interlocking pavers from h/o Baldev Brar to Chappar	Balance payment
2	P/L Interlocking pavers from Gurmukh Singh to Mukhtiar Singh	Rs.2,56,817/- Security
3	P/L Interlocking pavers from h/o Gurcharan Singh to h/o Jaila Singh	Rs.1,78,773/-
4	P/L Interlocking pavers from h/o Jaila Singh to Darbara Singh	Earnest Money Rs.40,600/-
5	P/L Interlocking pavers from Shri Gurudwara Sahib to Parani disposal	Total Rs.4,76,190/-

Learned counsel for the petitioner further contends that even though the works allotted to the petitioner stand successfully executed, however, the payment against the execution of the works and security amount 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 23.09.2023 (Annexure P-3) has been sent by the petitioner, however, 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. Teevar Sharma, AAG, Punjab, accepts notice on behalf of respondents No.1 and 2 and Mr. Saurav Verma, Addl. A.G., Punjab, who by

virtue of his assignment is also on the panel of all the statutory corporations and bodies of the Government of Punjab, is directed to and accepts notice on behalf of respondent No.3-Municipal Council, Sangat, District Bathinda, and they have 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 Executive Officer, Municipal Council, Sangat, District Bathinda, is directed to take note of the legal notice dated 23.09.2023 (Annexure P-3) 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.

December 07, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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