

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

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CWP-27343-2023
Date of Decision: 06.12.2023

TALWINDER SINGH

..... 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 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 due payment of Rs.48,15,014/- including security qua the works executed by the petitioner, alongwith interest @ 12% per annum.

Learned counsel for the petitioner contends that the petitioner had executed various works assigned to him from time to time and there has never been any complaint against the works executed by the petitioner. During the year 2021-22, certain works of Water Supply Schemes were allotted to the petitioner vide different allotment letters. The details of the works and the amount payable to the petitioner are mentioned in para No.3 of the writ petition. The petitioner approached the respondents for a number of times for release of the pending payment but nothing fruitful could be

fetches. Thereafter, the petitioner submitted numerous representations to the respondents but no response has been received by the petitioner. Lastly, a Legal Notice dated 10.11.2023 (Annexure P-3) has been served by the petitioner upon respondent No.4-the Executive Engineer, Water Supply & Sanitation Division No.2, Hoshiarpur to release the aforesaid amount but due payment has not been received by the petitioner.

Notice of motion.

Mr. Saurav Verma, Addl. AG, Punjab appears and accepts notice on behalf of respondents.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.4-the Executive Engineer, Water Supply & Sanitation Division No.2, Hoshiarpur is directed to consider and decide the Legal Notice dated 10.11.2023 (Annexure P-3) in a time bound manner.

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

Accordingly, in view of the above, with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of while directing respondent No.4-the Executive Engineer, Water Supply & Sanitation Division No.2, Hoshiarpur to consider and decide the Legal Notice dated 10.11.2023 (Annexure P-3) 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.

DECEMBER 06, 2023
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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