

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

126

CWP-28137-2023
Date of Decision: 14.12.2023

KEWAL KRISHAN

..... 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 pay the due amount of Rs. 86,00,000/- 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. In the month of January, 2023, certain works were allotted to the petitioner vide different agreements. The details of these works and the amount payable to the petitioner are mentioned in Para No.3 of the writ petition. The petitioner has completed these work upto 30.04.2023 but the balance payment of these works has not been released to the petitioner. The petitioner approached the

respondents for a number of times, but nothing fruitful could be fetched. Thereafter, the petitioner submitted numerous representations but of no avail. Lastly, the petitioner served a Legal Notice dated 14.11.2023 (Annexure P-3) upon respondent-authorities but the respondents neither responded to the same nor did they make the payment of outstanding amount to the petitioner.

Notice of motion.

Ms. Niharika Sharma, Asstt. A.G. 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/Devigarh, Patiala Canal & Ground Water Division, WRD, Patiala Punjab is directed to consider and decide the Legal Notice dated 14.11.2023 (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/Devigarh, Patiala Canal & Ground Water Division, WRD, Punjab to consider and decide the Legal Notice dated 14.11.2023 (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 14, 2023
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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