

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

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**CWP-28767-2023
Date of Decision: 20.12.2023**

NEW DASHMESH TILES INDUSTRIES, KHAMANON

.... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.... Respondents

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

Present: Mr. Vijay Lath, 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 amount of Rs. 2,47,229/- (wrongly mentioned as Rs. 5,73,094/- in the prayer clause of the writ petition) alongwith interest @ 18% per annum.

Learned counsel for the petitioner contends that the petitioner has initiated a small scale industry under the name and style of New Dashmesh Tiles Industries which deals with manufacturing and sale of interlock tiles as well as material like cement, bazri, sand for fixation of tiles. As per demand of respondent No.5-Gram Panchayat, Village Samaspur Singha, Tehsil Khamanon, District Fatehgarh Sahib the petitioner has

supplied interlock tiles, cement, bazri and tiles through separate credit bills. However, the due payment of Rs. 2,47,229/- in respect of the aforesaid material has not been released to the petitioner. The petitioner approached the respondents for a number of times, but nothing fruitful could be fetched. Recently, the petitioner submitted demand notice dated 12.08.2023 (Annexure P-8) to the respondent No.4-Block Development and Panchayat Officer, Khamanon, Tehsil Khamanon, District Fatehgarh Sahib for release of the aforesaid payment but the said respondent neither responded to the same nor did they make the outstanding amount to the petitioner.

Notice of motion restricted to respondents No.1 to 4 only at this stage.

Mr. Sehajbir Singh Aulakh, Asstt. A.G. Punjab appears and accepts notice on behalf of respondents No.1 to 4.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.4-Block Development and Panchayat Officer, Khamanon, Tehsil Khamanon, District Fatehgarh Sahib is directed to consider and decide the demand notice dated 12.08.2023 (Annexure P-8) 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-Block Development and Panchayat Officer, Khamanon, Tehsil Khamanon, District Fatehgarh Sahib to consider and decide the demand notice dated 12.08.2023 (Annexure P-8) 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 Demand 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 20, 2023
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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