

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-343-2024 (O&M).
Date of Decision: 10.01.2024

The Mansa Lok Sewak Co-Op. L & C Society Ltd. .. 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 especially in the nature of Mandamus directing the respondents to make the due payment of Rs.36,55,385 /- qua the works of construction of Road Gully Chamber in various streets of Dhuri executed by the petitioner along with interest @ 12% per annum.

Learned counsel for the petitioner contends that the aforesaid works were allotted to the petitioner vide separate orders as mentioned in Para 2 of the petition and the same stands successfully executed, however, the balance payment, security and premium of the pipes against the execution of the aforesaid works have 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 07.12.2023 (Annexure P-3) has been sent by the petitioner and that despite a lapse of more than one month since the date of the legal notice 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 to 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 respondents No.3-The Executive Officer, Municipal Council, Dhuri, District Sangrur, and submit that 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, Dhuri, District Sangrur, is directed to take note of the legal notice dated 07.12.2023 (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.

(VINOD S. BHARDWAJ)
JUDGE

10.01.2024
Mangal Singh

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