

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

107

CWP-1127-2024 (O&M).

Date of Decision: 19.01.2024.

SURESH KUMAR CONTRACTOR

.. Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Jatinder Nagpal, 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 full and final payment along with interest @ 18% per annum for the various construction works executed and completed by the petitioner allotted to the petitioner from time to time. A further prayer has been made seeking a directions to the respondents to decide the legal notice dated 04.12.2023 (Annexure P-1) sent by the petitioner.

At the very outset, learned counsel for the petitioner submits that at this juncture, the petitioner would be satisfied in a case a direction is issued to the respondent No.4-the Secretary, Municipal Committee, Ferozepur Jhirka, District Nuh, Haryana, to decide the legal notice dated

04.12.2023 (Annexure P-1) sent by the petitioner by passing a speaking and reasoned order in accordance with law and in a time bound manner.

Notice of motion.

Mr. Pankaj Mulwani, DAG. Haryana, accepts notice on behalf of the respondents No.1 to 3 and Mr. Vivek Saini, Advocate accepts notice on behalf of respondent No.4-Municipal Committee, Ferozepur Jhirka, District Nuh, Haryana, 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 respondent No.4-the Secretary, Municipal Committee, Ferozepur Jhirka, District Nuh, Haryana, is directed to take note of the legal notice dated 04.12.2023 (Annexure P-1) 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.

January 19, 2024

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Whether speaking/reasoned

Whether reportable

(VINOD S. BHARDWAJ)

JUDGE

: Yes/No

: Yes/No