

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

120

CWP-3295-2024
Date of Decision: 14.02.2024

RAJAT GARG CONTRACTOR 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 due payment of Rs. 7,34,186/- 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. On 31.03.2022, the work of P/L Interlocking Tiles in Kuldeep Singh Street, Mangat Comrade Street, Krishan Chand Street, Vijay MC Street, Janak Rajdev Street, Ram Saroop Street, Bhola Reporter Street, Makhan MC and Branches Street, Pali House to Hari House, Bania Sewak Street, Govt. School to Canal Pattdi on berms, Const. of Road Chowki to Main Bld Road, Const.

of Road Durga Mandir to Ravidass Mandir has been allotted to the petitioner vide work order No.43, Book No.09 dated 07.03.2019. The petitioner has successfully completed the aforesaid work on 31.03.2022 but an amount of Rs. 7,34,186/- has not been released to the petitioner. The details of these 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, but nothing fruitful could be fetched. Thereafter, the petitioner submitted numerous representations to the respondents but no response has been received by the petitioner. Recently, a Legal Notice dated 20.01.2024 (Annexure P-3) has been served by the petitioner upon respondent No.3-the Executive Officer, Nagar Panchayat, Bhikhi, District Mansa to release the aforesaid amount but till date due amount has not been released to the petitioner.

Notice of motion.

Ms. Arundhati Kulshreshtha, Asstt. A.G. Punjab appears and accepts notice on behalf of respondents No.1 and 2.

Mr. Saurav Verma, who is the Additional Advocate General Punjab and would thus be on the panel of all statutory Boards and Corporations of the State of Punjab, has been requested to accept notice on behalf of the respondent No.3-Nagar Panchayat, Bhikhi, District Mansa.

On the asking of the Court, he accepts notice on behalf of respondent No.3-Nagar Panchayat, Bhikhi, District Mansa.

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.3-the Executive Officer, Nagar Panchayat, Bhikhi, District Mansa to consider and decide the Legal Notice

dated 20.01.2024 (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.

FEBRUARY 14, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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