

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

112

CWP-3488-2024
Date of Decision: 16.02.2024

SVN INFRASTRUCUTRE AND DEVELOPERS THROUGH ITS
PROPRIETOR SHYAM BIR

..... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.... Respondents

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

Present: Mr. Manoj Kumar Sood, 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 payment of Rs. 18,15,526/- as rent for providing one JCB Machine and four tractor trolleys alongwith Driver and fuel, alongwith interest @ 18% per annum.

Learned counsel for the petitioner submits that with regard to his grievance, he has served legal notice dated 12.05.2023 (Annexure P-9) upon respondent-authorities, however, they have not released the amount in question.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana appears and accepts notice on behalf of respondents No.1 and 2.

Mr. Vivek Saini, who is the Additional Advocate General Haryana and thus would be on the panel of all statutory Boards and

Corporations of the State of Haryana has been requested to accept notice on behalf of the respondent No.3 and 4-Municipal Council, Palwal.

On the asking of the Court, he accepts notice on behalf of respondent No.3 and 4-Municipal Council, Palwal.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.4-the Executive Officer, Municipal Council, Palwal is directed to consider and decide the Legal Notice dated 12.05.2023 (Annexure P-9) 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 Officer, Municipal Council, Palwal to consider and decide the Legal Notice dated 12.05.2023 (Annexure P-9) 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 16, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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