

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

115

CWP-3271-2024
Date of Decision: 14.02.2024

M/S GAANESH KARTIKEY CONSTRUCTIONS PVT LTD

..... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.... Respondents

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

Present: Mr. Jugansh Goyal, Advocate for
Mr. Sandeep Singh, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing the respondents to release pending payment of Rs.78,90,052/- on account of increase in prices of Bitumen, Cement & Steel envisaged in Clause-44 of the DNIT.

Learned counsel for the petitioner submits that with regard to his grievance, he has served legal notice dated 13.10.2023 (Annexure P-5) upon respondents No.3 and 4, however, they have not released the amount in question.

Notice of motion.

Mr. Saurav Verma, Addl. A.G., Punjab accepts notice and prays for some time to complete instructions and file response, if necessary.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.4- Executive Engineer, Provincial Division, Punjab Public Works Department (Building & Roads), Gurdaspur is directed to consider and decide the Legal Notice dated 13.10.2023 (Annexure P-5) in a time bound manner.

The learned State Counsel does not oppose the prayer made by the 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 to consider and decide the Legal Notice dated 13.10.2023 (Annexure P-5) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of three months of the 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 favour of the petitioner 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