

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

103

CWP-3456-2024
Date of Decision: 16.02.2024

KAILASH CHAND Petitioner

VERSUS

STATE OF HARYANA AND OTHERS ... Respondents

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

Present: Mr. Sandeep Kumar Yadav, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana
for respondents No.1 to 3.

Mr. Vivek Saini, Advocate
for respondents No.4 and 5.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing the respondents to release pending payment of Rs.4,81,181/- alongwith interest @ 12% as the petitioner has completed the tender work dated 08.02.2018 and 05.03.2018 and the same has been approved by the Monitoring Committee on 09.11.2023.

Learned counsel for the petitioner submits that with regard to his grievance, he has served legal notice dated 20.12.2023 (Annexure P-11) upon respondent-authorities, however, they have not released the amount in question.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana accepts notice on behalf of respondents No.1 to 3.

Mr. Vivek Saini, who is the Additional Advocate General Haryana and would thus be on the panel of all statutory Board and Corporations of the State of Haryana has been requested to accept notice on behalf of the respondents No. 4 and 5-Municipal Committee, Kanina, District Mohindergarh.

On the asking of the Court, he accepts notice on behalf of respondents No. 4 and 5-Municipal Committee, Kanina, District Mohindergarh.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.4-Chairman/Secretary, Municipal Committee, Kanina, District Mohindergarh is directed to consider and decide the Legal Notice dated 20.12.2023 (Annexure P-11) 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 20.12.2023 (Annexure P-11) 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 16, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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