

**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

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CWP-3688-2024

Date of Decision: 19.02.2024

M/S BMMS FABRICATORS

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: None for petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing the respondents to release outstanding payments under the Agreement dated 18.11.2021 entered between the parties.

It has been averred in the petition that the petitioner has successfully execution of the work of “*Fabrication of Ordinary Bus Chassis of TATA (LPO) 1618/57, 5700 MM Wheelbase Euro-VI Model Chassis-6 Cylinder*” under the Agreement dated 18.11.2021 entered between the parties, notwithstanding the same, the outstanding amount has not been released till date. A perusal of file further shows that with regard to his grievance, the petitioner has submitted various representations to the respondents-Authorities but no action has been taken thereupon. Recently, a legal notices dated 05.12.2023 and 04.01.2024 (Annexure P-25 and P-26)

has been sent by the petitioner to respondent-authorities but no action has been taken by the respondents till date.

Even though there is no representation on behalf of the parties today, however, in view of the order which this Court proposes to pass, the issuance of notice to the respondents is dispensed with at this stage.

Apparently, the petitioner has submitted a legal notices dated 05.12.2023 and 04.01.2024 (Annexure P-25 and P-26) to the respondents-Authorities for seeking redressal of his grievance, but no action has yet been taken thereupon by the respondents. Accordingly, it would be appropriate and in the fitness of things if respondents No.2 and 3 are directed to look into the legal notices dated 05.12.2023 and 04.01.2024 (Annexure P-25 and P-26) and decide the same within a time bound manner. Moreover, no prejudice would be caused to either of the parties, in case the present petition is disposed of in above terms.

Accordingly, in view of the above and without commenting anything on the merits of the case, the present petition is disposed of while directing respondents No.2 and 3 to consider and decide the legal notices dated 05.12.2023 and 04.01.2024 (Annexure P-25 and P-26) 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 notices, 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 19, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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