

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-4905-2024 (O&M)
Date of decision: 01.03.2024

M/s Puneet Sharma & Associates, # 313, C.C.C., VIP Road, Zirakpur

...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)

1. The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ especially in the nature of Mandamus directing the respondents to make the due payment of Rs.4,67,971/- qua the work of construction of ITI Daboor, Block Shri Kiratpur Sahib, District Ropar, executed by the petitioner along with interest @ 12% per annum.

2. Learned counsel for the petitioner contends that the petitioner has executed various works assigned to him from time to time. On 01.03.2021, the above said work was allotted to the petitioner vide letter of acceptance. The letter to proceed with the work was issued on 16.03.2021. The petitioner immediately started the execution of the above said work and

the payment of 1st running bill has been released to the petitioner but the payment of 2nd running bill of electrical work for a sum of Rs.4,67,971/- has not been released till date. He contends that in this regard, a legal notice dated 30.01.2024 (Annexure P-3) has been sent by the petitioner to respondents No.4 to 6 and that despite a lapse of about 01 month since the date of the aforesaid legal notice neither any decision has been taken thereupon nor has the due and balance security amount been released by the respondents. He further contends that he would be satisfied in case the respondent-authorities are directed to look into the aforesaid legal notice and the grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

3. Notice of motion.

4. Mr. Saurav Verma, Addl. A.G., Punjab, accepts notice on behalf of the respondents-State and submits that he has no objection to the aforesaid prayer being granted.

5. Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and respondents No.4-The Executive Engineer (Civil), Punjab Police Housing Corporation Ltd. Civil Division, SAS Nagar (Mohali), is directed to take note of the legal notice dated 30.01.2024 (Annexure P-3) sent by the petitioner and to pass a reasoned and speaking order thereupon in accordance with law preferably within a period of three months from the date of receipt of certified copy of this order.

6. Needless to mention that in the event the entitlement of the petitioner being established as per law, the payment due to the petitioner shall be released expeditiously and preferably within a further period of three months.
7. Petition stands disposed of accordingly.

01.03.2024

Mangal Singh

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No