

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

116

CWP-5844-2024
Date of Decision: 13.03.2024

M/S AYRA CONSTRUCTIONS

... 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)

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 due payment of Rs.19,27,081/- qua the work executed by the petitioner, alongwith interest @ 12% per annum.

Learned counsel for the petitioner contends that despite having completed the allotted work within the stipulated time period and to the satisfaction of the respondent-Authorities, the due payment has not been released by the respondents. The details of the works done and the outstanding amount qua the same are given in tabulated form in paragraph No.2 of the writ petition. He further contends that with regard to his grievance, the petitioner has submitted various representations including the last one dated 31.01.2024 (Annexure P-4), but no action has been taken thereupon till date.

Notice of motion.

Mr. Aditya Sharda, DAG, Punjab accepts notice on behalf of the respondents 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.5- The Executive Engineer, Construction Division, PWD B&R Branch, District Administrative Complex, Chanab-Jhehlam Block, 4th Floor, Moga is directed to consider and decide the representation dated 31.01.2024 (Annexure P-4) in a time bound manner.

Learned Counsel for the respondents do 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.5 to consider and decide the representation dated 31.01.2024 (Annexure P-4) 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.

MARCH 13, 2024
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(VINOD S. BHARDWAJ)
JUDGE

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