

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-7460-2024

Date of Decision: 03.04.2024

OBEROI CONSTRUCTION CORPORATION

... Petitioner

VERSUS

THE STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Ms. Deepali Verma, 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 pending payment of Rs.1,79,98,522.43/- for the work done by the petitioner, alongwith interest @ 14% per annum.

After arguing at some length, learned counsel for the petitioner submits that with regard to his grievance, the petitioner has submitted a representation dated 05.03.2024 (Annexure P-8) to respondent No.4 but the respondents have neither taken any action thereupon nor did they make the payment to the petitioner.

Notice of motion.

Mr. Vipin Pal Yadav, 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- The Executive Engineer, Water Supply and Sanitation Division No.1, Batala, District Gurdaspur, Punjab

is directed to consider and decide the representation dated 05.03.2024 (Annexure P-8) 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 representation dated 05.03.2024 (Annexure P-8) 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 representation, 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.

APRIL 03, 2024
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(VINOD S. BHARDWAJ)
JUDGE

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