

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-8121-2024
Date of Decision: 10.04.2024

RAJTHAL COOPERATIVE LEASE AND CREDIT SOCIETY LTD.

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Ms. Anjali Sheoran, 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 clear the sum of Rs.4,71,146/- as due payable to the petitioner for the work done and a sum of Rs.1,34,901/- as refund of security deposited by the petitioner.

After arguing at some length, learned counsel for the petitioner submits that with regard to his grievance, the petitioner has served a number of representations followed by a legal notice dated nil (Annexure P-18) but the respondents have neither taken any action thereupon nor did they make the payment to the petitioner.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana accepts notice on behalf of respondents No.1, 2 and 5; and prays for some time to complete instructions and file response, if necessary.

Mr. Vivek Saini, Advocate enters appearance and accepts notice on behalf of respondents No.3 and 4; and prays for some time to file response.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.4- The Secretary, Municipal Committee, Narnaud, Jind Road, Narnaud is directed to consider and decide the legal notice dated nil (Annexure P-18) 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.4 to consider and decide the legal notice (Annexure P-18) 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.

APRIL 10, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No