

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

109

CWP-8116-2024
Date of Decision: 10.04.2024

SVN ASSOCIATES THROUGH ITS PROPRIETOR

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Manoj Kumar Sood, 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 payment of Rs.39,401/- for providing truck and other machinery for picking up garbage from 01.08.2020 to 03.08.2020 alongwith interest @ 18% per annum.

After arguing at some length, learned counsel for the petitioner submits that with regard to his grievance, the petitioner has served a legal notice dated 02.05.2023 (Annexure P-3) 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 and 2; 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- Executive Officer, Municipal Council, Palwal is directed to consider and decide the legal notice dated 02.05.2023 (Annexure P-3) 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 dated 02.05.2023 (Annexure P-3) 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