

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

115

CWP-8155-2024

Date of Decision: 10.04.2024

SATISH BANSAL

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Amit Malik, Advocate for Mr. Varun Singh Dhanda,
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 amount of Rs.30,00,597/- alongwith interest @ 24% per annum qua the work of construction of road with 80mm thick interlocking tiles 400mm and RCC sewer line and 100mm id DI water supply line from Hajari Wali Gali near Community Centre and Lekram Wali Gali Tigra, Ward No.26, Gurugram, executed by the petitioner.

After arguing at some length, learned counsel for the petitioner submits that with regard to his grievance, the petitioner has submitted numerous representations to the respondents as well as the CM Window. When no heed is paid to the representations submitted by the petitioner, he finally served a legal notice dated 18.01.2024 (Annexure P-22) 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 respondent No.1 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.2 to 6; and also prays for some time to file response, if so advised.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.4- The Executive Engineer (Division-VI), Municipal Corporation of Gurugram, C-1, Info City, Sector 34, Gurugram is directed to consider and decide the legal notice dated 18.01.2024 (Annexure P-22) 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 18.01.2024 (Annexure P-22) 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
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(VINOD S. BHARDWAJ)
JUDGE

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