



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-10561-2024

Date of Decision: 08.05.2024

THE H.P. COOPERATIVE LABOUR AND CONSTRUCTION SOCIETY
LTD

..... 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 due amount of Rs. 58,12,546/- qua the works executed by the petitioner, alongwith interest @ 12% per annum.

Learned counsel for the petitioner contends that the petitioner had executed various works assigned to him from time to time and there has never been any complaint against the works executed by the petitioner. During the year 2021-22, the works of Operation & Maintenance of Water Supply System and Sewerage System at Gidderbaha, District Sri Muktsar Sahib were allotted to the petitioner. The petitioner has successfully completed these works but the balance payment of these works has not been

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released till date. The details of these works and the amount payable to the petitioner are mentioned in para No.2 of the writ petition. The petitioner approached the respondents a number of times and submitted numerous representation in this regard. However, nothing fruitful could be fetched. Lastly, a Legal Notice dated 01.04.2024 (Annexure P-3) has been served by the petitioner upon respondent No.7 i.e. the Executive Officer, Municipal Council, Gidderbaha, District Sri Muktsar Sahib to release the aforesaid amount but till date due amount has not been released to the petitioner.

Notice of motion.

Ms. Akshita Chauhan, DAG, Punjab appears and accepts notice on behalf of respondents No. 1 to 6.

Ms. Harpriya Khaneka, who is the Deputy Advocate General Punjab and would thus be on the panel of all statutory Board and Corporations of the State of Punjab has been requested to accept notice on behalf of the respondent No.7 i.e. Municipal Council, Gidderbaha, District Sri Muktsar Sahib.

On the asking of the Court, she accepts notice on behalf of respondent No.7 i.e. Municipal Council, Gidderbaha, District Sri Muktsar Sahib.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.7 i.e. the Executive Officer, Municipal Council, Gidderbaha, District Sri Muktsar Sahib is directed to



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consider and decide the Legal Notice dated 01.04.2024 (Annexure P-3) in a time bound manner.

Learned counsel for the respondents does not oppose the prayer made by 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.7 i.e. the Executive Officer, Municipal Council, Gidderbaha, District Sri Muktsar Sahib to consider and decide the Legal Notice dated 01.04.2024 (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 from the date of 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 his favour within a further period of three months.

Petition stands disposed of accordingly.

MAY 08, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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