



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

117

CWP-10821-2024 (O&M)

Date of decision: 10.05.2024

Tarun Bansal Contractor

...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)

1. The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ especially in the nature of Mandamus directing the respondents to release the security amount of Rs. 7,40,000/- qua the works executed by the petitioner along with interest @ 18% per annum.

2. Learned counsel for the petitioner contends that on 31.12.2021 certain works were allotted to the petitioner and the same stands successfully executed. The payment of bills etc. has been released to the petitioner, however, the amount of security has not been released yet, on the ground that 3rd party technical audit and financial audit is pending whereas the defect liability period of the works done by the petitioner has expired in the year 2022. He contends that in this regard, a legal notice dated 05.04.2024 (Annexure P-4) has been served by the petitioner and that despite a lapse of more than 01 month since the date of the aforesaid legal notice neither any decision has been taken thereupon nor has the due payment of security amount been released by the respondents.



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3. Notice of motion.
4. Ms. Niharika Sharma, AAG Punjab, accepts notice on behalf of respondents No.1 to 2 and Ms. Harpriya Khaneka, DAG, Punjab accepts notice on behalf of respondent No.3 being its empanelled Advocate. They both pray for some time to complete instructions and file response, if necessary.
5. Learned counsel for the petitioner, however, contends that he would be satisfied at this stage, in case respondent No.3-Executive Officer, Municipal Council, Jaitu, District Faridkot, is directed to take note of the legal notice dated 05.04.2024 (Annexure P-4) served by the petitioner and to release the admitted and undisputed liability mentioned therein.
6. Learned Counsel for respondent No.3 has no objection to the request made by learned counsel for the petitioner.
7. 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.3-Executive Officer, Municipal Council, Jaitu, District Faridkot, is directed to take note of the legal notice dated 05.04.2024 (Annexure P-4) and to release the admitted liability in favour of the petitioners within a period of three months from the date of receipt of a certified copy of this order.
8. The petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

10.05.2024
Mangal Singh

MANGAL SINGH
2024.05.14 10:32
I attest to the accuracy and
integrity of this document

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