



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

116

CWP-10820-2024 (O&M)

Date of decision: 10.05.2024

Manjit Singh

...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.12,22,530/- and the interest amount of Rs.20,64,129/- (Total Rs.32,86,659/-) qua the works executed by the petitioner along with interest @ 12% per annum.
2. After arguing at some length, learned counsel for the petitioner submits that the aforesaid payment stands admitted and that with regard to his grievance, the petitioner has submitted various representations followed by a legal notice dated 01.04.2024 (Annexure P-5) but the respondents have neither paid the outstanding dues to the petitioner nor have they taken any action upon the said representation.
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 respondents No.3 and 4 being its empanelled advocate.



116

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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-Commissioner, Municipal Corporation, Batala, District Gurdaspur, is directed to consider and decide the legal notice dated 01.04.2024 (Annexure P-5) served by the petitioner, by passing a speaking order in a time bound manner.

6. Learned Counsel for respondents No.3 and 4 has no objection to the request made by learned counsel for the petitioner.

7. Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and respondent No.3-Commissioner, Municipal Corporation, Batala, District Gurdaspur, is directed to take note of the legal notice dated 01.04.2024 (Annexure P-5) served by the petitioner and to pass a reasoned and speaking order thereupon in accordance with law preferably within a period of two months from the date of receipt of certified copy of this order.

8. Needless to mention that in the event the entitlement of the petitioner being established as per law, the payment due to the petitioner shall be released expeditiously and preferably within a further period of two months.

9. Petition stands disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

10.05.2024

Mangal Singh

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