

2024:PHHC:078808



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-13594-2024
Date of Decision: 31.05.2024

RAMESH KUMAR CONTRACTOR

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. Jagdeep Singh Rana, 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 due payment of Rs.3,21,02,096/- alongwith interest @ 18% per annum w.e.f. 01.12.2021 which has been withheld by the respondents.

After arguing at some length, learned counsel for the petitioner submits that with regard to his grievance, the petitioner has submitted a representation dated 23.01.2024 (Annexure P-11), however, the respondents have neither responded to the same nor have they made the payment till date.

Notice of motion.

Ms. Niharika Sharma, AAG, Punjab, accepts notice on behalf of the respondents and prays for some time to complete instructions and file response, if necessary.

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Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.3- The Executive Engineer, Water Supply and Sanitation Division No.2, Moga, Punjab is directed to consider and decide the representation dated 23.01.2024 (Annexure P-11) in a time bound manner.

The learned State Counsel does 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.3 to consider and decide the representation dated 23.01.2024 (Annexure P-11) 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 representation, 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.

MAY 31, 2024
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No