



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

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CWP-13584-2024
Date of Decision: 30.05.2024

M/S POPULAR PIPES**..... 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 the due payment of Rs. 21,27,661/- 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. On 19.12.2023, the work of Providing and installing new tube well of size 200mm i/d upto 200 mtr. Depth BGL with Direct Rotary Rig, pumping machinery capable of delivering 390 LPM at 140 mtr head, control panel, G.I. coloumn pipe of 80 mm i/d, Construction of Gravel pit, Providing,

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installing, testing and commissioning one no. electrically actuated diaphragm operated, metering system, chemical dosing chlorinator, Rising main 90 mm o/d 10 kg/cm² etc. for Aug. of W/S scheme for Village Chuaharpur (3 Nos.) in Block Saroya, Distt. Shaheed Bhagat Singh Nagar was allotted to the petitioner vide allotment letter No. 18954 dated 19.12.2023. The petitioner successfully completed this work on 15.02.2024. The first and final bill amounting to Rs. 30,24,661/- has also been passed and only an amount of Rs. 8,97,000/- has been paid but the balance payment of Rs. 21,27,661/- has not been paid till date. The petitioner approached the respondents for a number of times, but nothing fruitful could be fetched. Thereafter, the petitioner submitted numerous representations to the respondents but no response has been received by the petitioner. Recently, a Legal Notice dated 04.05.2024 (Annexure P-3) has been served by the petitioner upon respondent No.4-Executive Engineer, Water Supply & Sanitation Division, Shaheed Bhagat Singh Nagar to release the aforesaid amount but till date due amount has not been released to the petitioner.

Notice of motion.

Ms. Niharika Sharma, Asstt. A.G. Punjab appears and accepts notice on behalf of respondents.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.4-Executive Engineer, Water Supply & Sanitation Division, Shaheed Bhagat Singh Nagar is directed to



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consider and decide the Legal Notice dated 04.05.2024 (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.4-Executive Engineer, Water Supply & Sanitation Division, Shaheed Bhagat Singh Nagar to consider and decide the Legal Notice dated 04.05.2024 (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 30, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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