



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

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CWP-14823-2024

Date of Decision: 03.07.2024

M/S VISHVAS CONSTRUCTION COMPANY

... 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)

Prayer in the present petition is for directing the respondents to release the due payment of Rs.24,58,661/- including security qua the work of special repair of Talwandi Sabo Raman Road to Quel upto Haryana Border via Malkana Gatwali including maintenance of road for five years (one year defect liability period + four years maintenance period) (Construction Work- Part I) executed by the petitioner, alongwith interest @ 12% p.a.

After arguing at some length, learned counsel for the petitioner submits that with regard to his grievance, the petitioner has submitted various representations followed by a legal notice dated 25.05.2024 (Annexure P-4) but the respondents have neither paid the outstanding dues to the petitioner nor have they taken any action upon the said representation.

Notice of motion.

Ms. Niharika Sharma, AAG, Punjab accepts notice on behalf of respondent No.1 and prays for some time to complete instructions and file response, if necessary.

Mr. Saurav Verma, Addl. A.G., Punjab, who by virtue of his assignment is also on the panel of all the statutory corporations and bodies of the Government of Punjab, is directed to accept notice on behalf of respondents No.2 to 5. Hence, he accepts notice on behalf of the said respondents and also prays for some time to complete instructions and file response.



Learned counsel for the petitioner, however, contends that he would be satisfied at this stage, in case respondent No.5- The Executive Engineer, Construction Division No.2, PWD (B&R) Branch, Bathinda is directed to consider and decide the legal notice dated 25.05.2024 (Annexure P-4) served by the petitioner, by passing a speaking order in a time bound manner.

Learned Counsel for respondents No.2 to 5 has no objection to the request 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.5 to consider and decide the legal notice dated 25.05.2024 (Annexure P-4) 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 legal notice, 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.

JULY 03, 2024
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No