

2024:PHHC:083311



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

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CWP-15131-2024

Date of Decision: 05.07.2024

M/S GANDOTRA BUILDERS

... Petitioner

VERSUS

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.1,57,08,629/- qua the work of construction of Industrial Training Institute at Niari, Block Dharkalan, District Pathankot 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-3) 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 respondents and prays for some time to complete instructions and file response, if necessary.

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Learned counsel for the petitioner, however, contends that he would be satisfied at this stage, in case respondent No.6- The Executive Engineer, Construction Division PWD B & R Branch, Pathankot is directed to consider and decide the legal notice dated 25.05.2024 (Annexure P-3) served by the petitioner, by passing a speaking order in a time bound manner.

Learned State Counsel 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.6 to consider and decide the legal notice dated 25.05.2024 (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 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 05, 2024*rajender***(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No