



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

120

CWP-17918-2024

Date of Decision: 31.07.2024

HARDEV SINGH

..... Petitioner

VERSUS

THE STATE OF PUNJAB AND OTHERS

.... Respondents

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

Present: Mr. Rajesh Kumar 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 due payment of Rs. 43,70,273/- 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 14.07.2023, the works of repairing Breach sites and damaged Bundh of LMB Ghaggar were allotted to the petitioner. The petitioner has completed the aforesaid work on 09.08.2023 and some of the payment has also been released but the balance payment amounting to Rs. 43,70,273/- has not been

**CWP-17918-2024****-2-**

released to the petitioner. The details of these works are mentioned at Para No.2 of the writ petition. The petitioner approached the respondents for a number of times, but nothing fruitful could be fetched. Thereafter, the petitioner submitted numerous representations including latest representation dated 09.07.2024 (Annexure P-4) has been sent by the petitioner to the respondent No.5-the Executive Engineer, Patiala Drainage Division, Patiala to release the aforesaid amount but till date due amount has not been released to the petitioner.

Notice of motion.

Ms. Akshita Chauhan, DAG, Punjab appears and accepts notice on behalf of respondents-State.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.5-the Executive Engineer, Patiala Drainage Division, Patiala is directed to consider and decide the representation dated 09.07.2024 (Annexure P-4) in a time bound manner.

Learned counsel for the respondents-State 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.5-the Executive Engineer, Patiala Drainage Division, Patiala to consider and decide the



CWP-17918-2024

-3-

representation dated 09.07.2024 (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 from the date of 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 his favour within a further period of three months.

Petition stands disposed of accordingly.

JULY 31, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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