

2024:PHHC:100288



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.

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CWP-18500-2024 (O&M).
Date of Decision: 05.08.2024.

OBEROI CONSTRUCTION CORPORATION

... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

... Respondent(s)

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

Present: Mr. J.S. Rana, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been preferred by the petitioner for seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to release pending payment of Rs.60,85,681/- qua the work of Augmentation of water supply Scheme for Village Mehrajpura, Block Abohar, District Fazilka (under NABARD Aided RIDF-XXIII/JJM) – Inlet Pipe for Raw Water, RCC Sump at Canal, RCC Storage and Sedimentation Tank of Size 60m X 52m, Suction cum Scour Well for Raw Water, Pump

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Chamber 6.10 x 4.88 mtr. Pressure Sand Filter (30 cum), S/S Well for Clear Water, RCC Clear Water Tank, RCC OHSR 150 cum 27.50m FSL Pipe Line at Head Works, Site laying at Head Works, Pumping Machinery, Chlorination Plant, Distribution System, House service connections and water meters carriage of Material and other works and Operation & Maintenance for 3 months of water supply system and all other works contingent thereto, executed by the petitioner along with interest @ 18% per annum.

At the very outset, learned counsel for the petitioner submits that the petitioner would be satisfied in case a direction is issued to the respondent No.3-the Executive Engineer, Water Supply and Sanitation Division, Abohar, District Fazilka, to decide the representation notice dated 17.07.2024 (Annexure P-3) sent by the petitioner by passing a speaking and reasoned order in accordance with law and in a time bound manner.

Notice of motion.

Ms. Niharika Sharma, AAG, Punjab, who is present in Court, accepts notice on behalf of the respondents and she has no objection to the aforesaid prayer being granted.

Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present writ petition is disposed of with a direction to the respondent No.3-the Executive Engineer, Water Supply and Sanitation Division, Abohar, District Fazilka, to consider the representation notice dated 17.07.2024 (Annexure P-3) sent by the petitioner and to pass a speaking and reasoned order thereupon in

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accordance with law within a period of three months from the date of receipt of certified copy of this order after granting an opportunity of hearing to the petitioner.

Needless to mention that in the event the entitlement of the petitioner is being established as per law, the payment due to the petitioner shall be released expeditiously and preferably within a further period of three months.

Petition stands disposed of accordingly.

August 05, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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