

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-20678-2024
Date of Decision: 27.08.2024

THE TOROWAL CO.OP L & C SOCIETY LTD.

..... 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 due amount of Rs.17,44,222/- qua the work of Aluminium Partition for Office of the Excise and Taxation at D.A.C. Complex Shaheed Bhagat Singh Nagar 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. The petitioner was allotted the work of Aluminium Partition for Office of the Excise and Taxation at D.A.C. Complex Shaheed Bhagat Singh Nagar vide

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EE No.9628 dated 24.03.2023 for estimate amount of Rs. 21,41,950/-. The petitioner has successfully completed the aforesaid work on 23.04.2023 but the balance payment of Rs.17,44,222/- has not been released till date. The details of these works and the amount payable to the petitioner are mentioned in para No.3 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 to the respondents but no response has been received by the petitioner. Lastly, a Legal Notice dated 10.07.2024 (Annexure P-3) has been served by the petitioner upon respondent No.5-the Executive Engineer, Provincial Division, PWD B & R Branch, Shahdeed Bhagat Singh Nagar to release the aforesaid amount but till date the 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 No. 1 and 2.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.5-the Executive Engineer, Provincial Division, PWD B & R Branch, Shahdeed Bhagat Singh Nagar is directed to consider and decide the Legal Notice dated 10.07.2024 (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.



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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, Provincial Division, PWD B & R Branch, Shahdeed Bhagat Singh Nagar to consider and decide the Legal Notice dated 10.07.2024 (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.

AUGUST 27, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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