

2024:PHHC:121592



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.

106

CWP-23490-2024 (O&M).
Date of Decision: 16.09.2024.

M/S SKG INFRATECH PRIVATE LIMITED

... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

... Respondent(s)

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

Present: Mr. Lokesh Jain, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

CM-15075-CWP-2024

Present application has been filed under Rule 3-A (I) Chapter VI Part B, Vol. V of the High Court Rules and Orders seeking grant of leave to file the present petition.

Application is allowed as prayed for.

Main case

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 the outstanding payments of Rs.3,02,99,318/- along with interest as per Section 16 of the Micro, Small and Medium Enterprises Development Act, 2006. An alternative prayer has also been

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made for directing the respondents No.1 and 2 to decide the legal notice dated 22.06.2024 (Annexure P-6).

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, Sports Physical Fitness Authority, Haryana, to decide the legal notice dated 22.06.2024. (Annexure P-6) sent by the petitioner by passing a speaking and reasoned order in accordance with law and in a time bound manner.

Notice of motion.

Mr. Vivek Saini, Addl. A.G. Haryana, who is present in Court, accepts notice on behalf of the respondents and he 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, Sports Physical Fitness Authority, Haryana, to consider the legal notice dated 22.06.2024. (Annexure P-6) sent by the petitioner and to pass a speaking and reasoned order thereupon in 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 being established as per law, the payment due to the petitioner

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shall be released expeditiously and preferably within a further period of three months.

Petition stands disposed of accordingly.

September 16, 2024.
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(VINOD S. BHARDWAJ)
JUDGE

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