



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

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CWP-22522-2024
Date of Decision: 09.09.2024

THE JAND WALA COOPERATIVE 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 the due payment of Rs. 14,50,000/- qua the work 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. In the year 2021, the work of Providing and Laying Interlocking Tiles in different streets of Ward No.9, Near Civil Hospital, Makhu was allotted to the petitioner. The petitioner has successfully completed the aforesaid work but

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the due payment amounting to Rs. 14,50,000/- has not been released till date. 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 02.05.2024 (Annexure P-3) has been served by the petitioner upon respondent No.3-Executive Officer, Nagar Panchayat, Makhu, District Ferozepur to release the aforesaid amount but till date due amount has not been released to the petitioner.

Notice of motion.

Ms. Niharika Sharma, Asstt. A.G. Punjab appears and accepts notice on behalf of respondents No.1 and 2.

Mr. Saurav Verma, who is the Additional Advocate General, Punjab and would thus be on the panel of all statutory Board and Corporations of the State of Punjab, has been requested to accept notice on behalf of the respondent No.3-Nagar Panchayat, Makhu.

On the asking of the Court, he accepts notice on behalf of respondent No.3-Nagar Panchayat, Makhu.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.3-Executive Officer, Nagar Panchayat, Makhu, District Ferozepur is directed to consider and decide the Legal Notice dated 02.05.2024 (Annexure P-3) in a time bound manner.

Learned counsel for the respondents do 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.3-Executive Officer, Nagar Panchayat, Makhu, District Ferozepur to consider and decide the Legal Notice dated 02.05.2024 (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 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.

SEPTEMBER 09, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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