



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

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CWP-24480-2024

Date of Decision: 23.09.2024

M/S NARULA BUILDWELL PVT LTD

..... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.... Respondents

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

Present: Mr. Balbir Singh Jaswal, 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 payment of Rs. 87,94,847/- qua the works, executed by the petitioner, alongwith interest @ 12% p.a.

Learned counsel for the petitioner submits that with regard to his grievance, he has submitted Legal Notice dated 29.04.2024 (Annexure P-6) to the respondent-authorities but no action has been taken by them.

Notice of motion.

Mr. Aditya Sharda, DAG, Punjab appears and accepts notice on behalf of respondents No.1 to 4.

Mr. Vikrampreet Arora, Advocate appears and accepts notice on behalf of respondent No.5.



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Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.5-the Trust Engineer, Amritsar Improvement Trust, Amritsar is directed to consider and decide the Legal Notice dated 29.04.2024 (Annexure P-6) in a time bound manner.

Learned Counsel for respondent No.5 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 Trust Engineer, Amritsar Improvement Trust, Amritsar to consider and decide the Legal Notice dated 29.04.2024 (Annexure P-6) 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.

In the event of non-payment of dues within the abovesaid period, the same shall be released along with interest @ 6% per annum from the date of filing of present petition to be paid to the petitioner and further subject to additional payment of costs of Rs.50,000/- to be deposited with the *Poor Patient Welfare Fund (PPWF) of Post Graduate Institute of Medical Education & Research, Chandigarh*. The said additional financial liability of accrued interest and costs shall be subject to recovery from the erring official.

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Petition stands disposed of accordingly.

SEPTEMBER 23, 2024
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No