



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-28571-2024
Date of Decision: 22.10.2024

M/S RAM KUMAR BANSAL Petitioner

VERSUS

THE STATE OF PUNJAB AND OTHERS Respondents

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

Present: Mr. Rajesh Kumar Girdhdar, 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. 27,53,000/- qua the works 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. On 09.09.2015, the works of construction of Meritorious School at Ghabdan, District Sangrur (G-1) Girls Hostel and Outer Development was allotted to the petitioner vide EE No. 2837 dated 09.09.2015. The petitioner has successfully completed the work on 25.06.2018 and payment of running bills

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has also been released to the petitioner but the payment of 13th and final bill has not been released to the petitioner. 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 20.09.2024 (Annexure P-4) has been served by the petitioner upon respondent No.6-the Executive Engineer, Provincial Division, PWD B & R Branch, Sangrur to release the aforesaid amount but till date 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-State.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.6-the Executive Engineer, Provincial Division, PWD B & R Branch, Sangrur is directed to consider and decide the Legal Notice dated 20.09.2024 (Annexure P-4) in a time bound manner.

Learned counsel for the respondents 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.6-the Executive Engineer, Provincial Division, PWD B & R Branch, Sangrur to consider and



decide the Legal Notice dated 20.09.2024 (Annexure P-4) 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.

Petition stands disposed of accordingly.

OCTOBER 22, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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