



IN THE PUNJAB AND HARYANA HIGH COURT AT  
CHANDIGARH

120

CWP-31089-2024

Date of Decision: 19.11.2024

M/S GANPATI INFRA

..... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.... Respondents

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

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Present: Mr. Tajinder Pal Singh Makkar, Advocate  
for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab  
For respondent No.1.

Mr. Vikram Preet Arora, Advocate  
for respondents No.2 to 4-M.C. Ludhiana.

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**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 authorities to release the due amount of Rs. 11,26,267/- which include a security amount of Rs. 5,24,825/- deducted at the time of making the payment of the bills and Rs. 6,01,442/- as outstanding payment including Rs. 1,20,340/- as earnest money deposit, on account of the work executed by the petitioner alongwith interest @ 12% per annum qua the work executed by the petitioner.

Learned counsel for the petitioner submits that with regard to his grievance, he has submitted various representation including latest

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representation dated 18.06.2024 (Annexure P-4) to the respondent-authorities but no action has been taken by them till date.

Notice of motion.

Ms. Akshita Chauhan, DAG, Punjab appears and accepts notice on behalf of respondent No.1.

Mr. Vikram Preet Arora, Advocate appears and accepts notice on behalf of respondents No.2 to 4-M.C. Ludhiana.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.2-Municipal Corporation, Ludhiana through its Commissioner is directed to consider and decide the representation dated 18.06.2024 (Annexure P-4) in a time bound manner.

Learned Counsel appearing on behalf of respondents do 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.2-Municipal Corporation, Ludhiana through its Commissioner to consider and decide the representation dated 18.06.2024 (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.

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Needless to mention that upon considering the said representation, 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.

NOVEMBER 19, 2024

Vishal Sharma

(VINOD S. BHARDWAJ)  
JUDGE

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No