

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

239

CWP-2045-2024
Date of Decision: 15.03.2024

ANIL DAHIYA @ ANIL KUMAR

..... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.... Respondents

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

Present: Mr. Jagdeep Singh Rana, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana
for respondents No.1 and 2.

Mr. Vivek Saini, Addl. Advocate
for respondents No. 3 and 4-M.C. Faridabad.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing the respondents to release the pending passed/audited payment as well as security amount of Rs.3,01,442/- + Rs. 3,95,000/- alongwith interest @ 18% per annum with effect from its due date qua the works executed by the petitioner.

Learned counsel for the petitioner submits that with regard to his grievance, he has served legal notice dated 25.09.2023 (Annexure P-8) upon

respondent-authorities, however, they have not released the amount in question.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana appears and accepts notice on behalf of respondents No.1 and 2.

Mr. Vivek Saini, who is the Additional Advocate General Haryana and would thus be on the panel of all statutory Board and Corporations of the State of Haryana has been requested to accept notice on behalf of the respondent No. 3 and 4-M.C. Faridabad.

On the asking of the Court, he accepts notice on behalf of respondents No. 3 and 4-M.C. Faridabad.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.3- Commissioner, Municipal Corporation, Faridabad is directed to consider and decide the legal notice dated 25.09.2023 (Annexure P-8) in a time bound manner.

The learned State Counsel does not oppose the prayer made by the 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.3 to consider and decide the legal notice dated 25.09.2023 (Annexure P-8) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of three months of the 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 favour of the petitioner within a further period of three months.

Petition stands disposed of accordingly.

MARCH 15, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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