

2024.PHHC.160685



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

**121**

**CWP-32600-2024**  
**Date of Decision: 03.12.2024**

**TARUN BANSAL CONTRACTOR**

... Petitioner

**VERSUS**

**STATE OF PUNJAB AND OTHERS**

... Respondents

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

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Present: Mr. R.K. Girdhar, Advocate  
for the petitioner.

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**VINOD S. BHARDWAJ, J. (ORAL)**

Prayer in the present petition is for directing the respondents to release the balance payment of Rs.50,84,000/- including security, bank guarantee and payment of escalation bill qua the works executed by the petitioner, alongwith interest @ 12% per annum.

After arguing at some length, learned counsel for the petitioner submits that with regard to his grievance, the petitioner has got served a legal notice dated 08.11.2024 (Annexure P-3) but the respondents have neither paid the outstanding dues to the petitioner nor have they taken any action upon the said legal notice.

Notice of motion.

Ms. Akshita Chauhan, DAG, Punjab accepts notice on behalf of respondent No.1 and prays for some time to complete instructions and file response, if so advised.

Ms. Saurav Verma, Advocate accepts notice on behalf of respondents No.2 to 4 and also prays for some time to complete instructions and file response, if necessary.

Learned counsel for the petitioner, however, contends that he would be satisfied at this stage, in case respondent No.4- The Executive Engineer (University Works Department) Baba Farid University of Health Sciences, Sadiq Road, Faridkot is directed to consider and decide the legal notice dated 08.11.2024 (Annexure P-3) served by the petitioner, by passing a speaking order in a time bound manner.

Learned Counsel for respondents No.2 to 4 does not have any objection to the request 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.4 to consider and decide the legal notice dated 08.11.2024 (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 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.

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.

DECEMBER 03, 2024.  
*rajender*

(VINOD S. BHARDWAJ)  
JUDGE

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