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IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-32603-2024 (O&M).
Date of Decision: 03.12.2024.

M/S S.D. ELECTRICAL CO.

.. Petitioner

Versus

URBAN LOCAL BODIES, HARYANA AND OTHERS

... Respondents

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

Present: Mr. Kanishk Swaroop, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to release the payment of final bill and EMD (Earnest Money Deposit) for the Contract allotted to the petitioner in view of completion certificate issued by the respondent authorities dated 20.05.2022 (Annexure P-3).

2 At the very outset, learned counsel for the petitioner submits that at this juncture, the petitioner would be satisfied in case the respondent-Authorities are directed to look into the legal notice dated 14.10.2024 (Annexure P-4) sent by the petitioner and the grievance espoused by the

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petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

3 Notice of motion.

4 On the asking of the Court, Mr. Pankaj Mulwani, DAG, Haryana, who is present in Court, accepts notice on behalf of respondents No.1 to 3 and Mr. Vivek Saini, Advocate, accepts notice on behalf of respondents No.4 to 6/Municipal Committee, Bawani Khera, Bhiwani, and they submit that they have no objection to the aforesaid prayer being granted.

5 Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and respondent No.6 - the Executive Engineer (Municipal Engineer) O/o Municipal Committee, Bawani Khera, Bhiwani, is directed to take note of the legal notice dated 14.10.2024 (Annexure P-4) sent by the petitioner and to pass a reasoned and speaking order thereupon in accordance with law preferably within a period of three months from the date of receipt of certified copy of this order.

6 Needless to mention that in the event the entitlement of the petitioner being established as per law, the payment due to the petitioner shall be released expeditiously and preferably within a further period of three months.

7 In the event of non-payment of dues within the said period, the

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same shall be released along with interest @ 6% per annum from the date of filing of the present petition to be paid to the petitioner and further subject to additional payment of a cost of Rs.50,000/- to be deposited with the PGI Poor Patients’ Welfare Fund, Chandigarh. The said additional financial liability of accrued interest and cost shall be subject to recovery from the erring officials.

8 Petition stands disposed of accordingly.

December 03, 2024.	(VINOD S. BHARDWAJ)
raj arora	JUDGE
<i>Whether speaking/reasoned</i>	: Yes/No
<i>Whether reportable</i>	: Yes/No