



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

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CWP-34692-2024

Date of Decision: 19.12.2024

M/S SONI AND BROTHERS

... Petitioner

VERSUS

THE STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Karan Nehra, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing the respondents to release the amount of Rs.27,70,805/- alongwith additional amount of GST in terms of office order dated 01.02.2023 (Annexure P-16) issued by respondent No.1 and interest @ 18% per annum on the unpaid amount w.e.f. 25.06.2022.

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 27.09.2024 (Annexure P-15) but the respondents have neither paid the outstanding dues to the petitioner nor have they taken any action upon the said legal notice.

He contends that he would be satisfied at this stage, in case respondent No.5-The Returning Officer-cum-Sub Divisional Magistrate, Kalka, Haryana is directed to consider and decide the legal notice dated 27.09.2024 (Annexure P-15) served by the petitioner, by passing a speaking order in a time bound manner.

Notice of motion.

Mr. Vivek Saini, Addl. A.G., Haryana, accepts notice on behalf of the respondents and does not have any objection to the request made by learned counsel for the petitioner.

In view of the above; the present petition is disposed of with the consent of the parties and without commenting anything on the merits of the case, directing respondent No.5 to consider and decide the legal notice dated 27.09.2024 (Annexure P-15) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties, if necessary, within a period of two 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 two 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 till disbursement 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 19, 2024.
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(VINOD S. BHARDWAJ)
JUDGE

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