

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.16389 of 2003
Date of Decision.20.02.2015

Kuldip Singh son of Joginder Singh

.....Petitioner

Versus

The State of Punjab and others

.....Respondents

Present: Mr. Sudhir Pruthi, Advocate
for the petitioner.

Ms. Vandana Malhotra, Addl. A.G., Punjab.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. The writ petition is for a direction for payment of interest for the payment not released for the work completed. The petitioner was a contractor and he had completed the works in October 1999 but the payment had been delayed for merely 20 months for which time the petitioner had to approach this Court to direct the amount to be paid. This Court had directed the representation of the petitioner to be considered and the amount was paid only after such representation had been made on 26.06.2001. The Court at the time when it admitted the matter has observed that the matter was fully covered through the decision of the Supreme Court in Inderjit Singh etc. Vs. State of Punjab and others in SLP Nos.5137-5139 of 1998 decided on 07.01.2000 where the Supreme Court had directed 11% interest to be paid for delayed payment. This decision was relied on by the Division Bench of

this Court in Balram Rai Gupta Vs. State of Punjab and others in CWP No.20249 of 2002 decided on 28.04.2003. The non payment has not been properly explained at all by the State. All that it states is that the amount has been paid even prior to the filing of the writ petition. Defence begs a question of what we have to answer of liability to pay interest for the delayed payment and if that is not properly explained, liability ought to follow. I will impose interest at the same rate what was already provided and the interest shall be calculated @11% per annum on ₹ 10,60,172/- for a period of 20 months and the amount which is assessed shall carry a further interest of 6% from 26.06.2001 till the date of payment. The payment shall be released within a period of four weeks from the date of receipt of copy of this order.

2. The writ petition is allowed on the above terms.

(K. KANNAN)
JUDGE

February 20, 2015
Pankaj*