

CWP No.13749 of 2015

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

CWP No.13749 of 2015

Date of Decision: July 13, 2015

M/s Engineer Construction Company

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

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

AUGUSTINE GEORGE MASIH, J. (Oral):

Petitioner-Company was allotted three work orders, details of which have been mentioned in para 2 of the writ petition. As far as the first and second work is concerned, nothing has been paid to the petitioner. Qua the third work order, ₹35,00,000/- is the balance amount. Counsel for the petitioner states that the total amount which the petitioner is entitled to of payment on completion of the work is ₹1,15,00,000/- but despite approaching the respondents, the amount due has not been released till date. Counsel for the petitioner states that the petitioner has served a notice through counsel dated 05.06.2015 (Annexure P-2) upon the Executive Engineer, Provincial Division, PWD (B&R) Branch, Faridkot-respondent No.5, highlighting therein, his claim and his entitlement for the release of amount on completion of the works. Counsel states that till date, no decision thereon, has been taken nor any response received.

Counsel for the petitioner contends that the petitioner, at this stage, would be satisfied if a direction is issued to the Executive Engineer, Provincial Division, PWD (B&R) Branch, Faridkot-respondent No.5 to consider and decide the legal notice dated 05.06.2015 (Annexure P-2) of the petitioner within some specified time.

In the light of the statement made by the counsel for the petitioner, the present writ petition is disposed of without going into the merits of the case or commenting thereon, with directions to the Executive Engineer, Provincial Division, PWD (B&R) Branch, Faridkot-respondent No.5 to consider and decide the legal notice dated 05.06.2015 (Annexure P-2) within a period of three months from the date of receipt of certified copy of this order.

In case, the claim of the petitioner is accepted, the consequential benefits be released to him, in accordance with law, within a further period of four weeks. The decision so taken be conveyed to the petitioner forthwith.

July 13, 2015

Harish

**(AUGUSTINE GEORGE MASIH)
JUDGE**