IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Civil Writ Petition No.5641 of 2015
Date of Decision: March 26, 2015

Prem Pal Bathia

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Navdeep Chhabra, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the counsel for the petitioner that the claim, as has been submitted by the petitioner, on performing his part of contract and the bills submitted thereon, have not been duly considered and decided by the respondents. The claims, which are even accepted, have not been released. Petitioner has served a notice through counsel dated 05.03.2015 (Annexure P-3), which also has not been responded to till date. Counsel for the petitioner has referred to the judgment passed by this Court in **CWP No.14621 of 2014** titled as **M/s Dharam Pal Contractors Vs. The State of Punjab and others**, decided on 05.11.2014, to contend that the payments be released to the contractors as per the seniority. Reference has been specifically made to the para 15 of the said judgment. He states that this judgment is not being adhered to by the respondents and had the same been followed in letter and spirit, the claim of the petitioner could not have been delayed despite there being funds available with the respondents. He contends that the petitioner, at this stage, would be satisfied if a direction is issued to respondents District Treasury Officer, Sri Muktsar Sahib and

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Assistant Treasury Officer, Gidderbaha-respondents 4A and 5 respectively, to consider and decide the legal notice within some specified time.

Without going into the merits of the case or commenting thereon, the present writ petition is disposed of with directions to the District Treasury Officer, Sri Muktsar Sahib and Assistant Treasury Officer, Gidderbaha-respondents 4A and 5, to consider and decide the legal notice 05.03.2015 (Annexure P-3), within a period of two weeks from the date of receipt of certified copy of this order and if the claim of the petitioner falls within the ambit of the judgment passed by this Court in **Dharam Pal's** case (supra), the consequential benefits be released to him accordingly.

March 26, 2015 **(AUGUSTINE GEORGE MASIH)**
Puneet **JUDGE**

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