

CWP-10371-2016

Date of Decision : 10.05.2017

M/s Shivam Engineer and Fabricators

.....Petitioner

versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Ashish Verma, Advocate
for the petitioner.

Mr. Inder Pal Goyat, Addl.A.G., Punjab.

M.M.S. BEDI, JUDGE (ORAL)

Reply filed on behalf respondents No. 1 to 3 is taken on record. Copy given.

Through instant writ petition, the petitioner seeks a direction to the respondents to release a sum of Rs.11,48,983/- alleging that the sum has been wrongly withheld. Interest at the rate of 18 per cent per annum has also been claimed for the work done by the petitioner for the respondents.

In the reply filed, it has been informed that the entire amount, due to the petitioner, has already been paid. Copy of the bank draft has also been appended with the reply.

In view of said circumstances, this petition has rendered infructuous.

Learned counsel of the petitioner submits that the petitioner

has got right to recover the interest on account of the delayed payment.

I have considered the contention of learned counsel for the petitioner and I am of the opinion that it will always be open to the petitioner to avail alternative remedy available to the petitioner for delayed payment i.e. by approaching the Arbitrator or other forum as per the contractual obligations arising out of the original contract between the parties.

Disposed of.

(M.M.S. BEDI)
JUDGE

10.05.2017

Neha

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No