IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 22392 of 2017
Date of Decision: 15.01.2018

SUKHDEV SINGH CONTRACTOR .....Petitioner

V/S

STATE OF PUNJAB AND OTHERS .....Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.

Present: Mr. P.S. Sekhon, Advocate,
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

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RAKESH KUMAR JAIN, J. (Oral)

The petitioner is a Government contractor who has prayed for issuance of a writ in the nature of mandamus seeking direction to respondents to make payment of the work already executed by him.

After notice, reply is filed by the Executive Engineer, Kotra Canal Lining Division, Sangrur on behalf of respondents No. 1 to 3. In the reply, the following averments have been made: -

> *"3. That out of these seven running bills, payment against bill No. 1 to 4 have already been released. The payment against bill numbers 5 to 7 amounting to ₹ 65,82,545/- was not released by Treasure up to 31.03.2017 and thus the funds for the year 2016-17 lapsed.*
>
> *4. That now funds required for the balance payment of ₹ 65,82,545/- are being demanded after revalidation in financial year 2017-18 from finance department for releasing the balance payment of the petitioner.*
>
> *5. That the payment of work executed shall be released on first come, first serve basis subject of availability of funds in this division, in*

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view of the orders dated 05.11.2014 of the Hon'ble Hig Court in CWP No. 14621 of 2014."

In view of the aforesaid averments made in the reply, the petition is disposed of with direction to release entire outstanding amount to the petitioner within a period of six months from the date receipt of certified copy of this order.

January 15, 2018 **(RAKESH KUMAR JAIN)**
Ess Kay **JUDGE**

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No

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