

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-23277-2017 (O&M)
Date of Decision: 13.11.2018

M/s Rajinder Kumar & Company

--Petitioner

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Jaswinder Singh, Advocate for the petitioner.

Mr. T.P.S. Chawla, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

Pleadings on record would indicate that the petitioner-company was allotted work on 2.9.2015 for ordinary repair of Abohar-Sitoguno-Dabwali Road from 0.00 kms to 27.80 km=27.80 kms as per Agreement No.18/2015-16. Tender of the petitioner was duly approved by the Executive Engineer, Construction Division, P.W.D (B&R), Fazilka. Copy of the work order has been appended along with the instant petition at Annexure P-1. It has been averred that the petitioner-company completed the work and at various stages had submitted its bills. The bills are stated to have been verified by the concerned official as per specifications laid down/terms of the DNIT notice.

Instant petition was filed raising a grievance that the balance payment of bills with regard to the work already discharged and completed have not been released and without any justifiable basis.

During the course of hearing today counsel for the petitioner-company concedes that the amount in relation to the work discharged/completed has already been released.

Under such circumstances, the main relief sought for in the petition already stands granted.

At this stage, counsel for the petitioner-company places reliance upon a Division Bench judgement passed by this Court in CWP-1232-2002 (The Surewala Cooperative L&C Society Ltd. Surewala Vs. State of Punjab and others) decided on 18.1.2002 to contend that the petitioner-company would also be entitled to interest on the delayed release of payment.

Without making any observations with regard to the claim for interest, the writ petition is disposed of in terms of granting liberty to the petitioner-company to raise its claim for grant of interest on the delayed release of payment before the respondent authorities.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

13.11.2018
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No