

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

CWP-29424-2017

Date of decision-06.09.2018

M/s Sharma Construction Company

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner.

Ms. Sunint Kaur, AAG, Punjab,
for respondent Nos.1, 3 and 4.

Ms. Sudeepti Sharma, Advocate for respondent No.2.

JITENDRA CHAUHAN, J.

Prayer in the instant petition is for release of payment of bills
for the work executed by the petitioner-company.

On 23.08.2018, this Court observed as under:-

“Reply on behalf of respondent Nos.1, 3 and 4 has been filed in the Court and the same is taken on record. Copy has been supplied to learned opposite counsel.

Learned counsel for the petitioner(s) states that the work has been executed by the petitioner to the satisfaction of the respondent(s). The payment is to be released by respondent No.2 which will come from the State. Mr. Dilbagh Singh, SDE states that the payment cannot be made in view of the inter se dispute between

respondent No.2 and respondent Nos. 1, 3 and 4.

Keeping in view the assertion that work stands executed to the satisfaction of the respondent(s), learned State counsel is directed to have the instructions in view of the inter se dispute between the respondents and whether payment of the petitioner could be withheld.

Post again on 06.09.2018.”

Learned counsel for respondent No.2 states that the work originally allotted and subsequently enhanced was without the knowledge and permission of respondent No.2.

Considering the fact that the work allotted to the petitioner by respondent No.3 stands executed to its satisfaction, it is ordered that respondent No.3 shall release the payment against the admitted bills within a period of six weeks from the date of receipt of a certified copy of this judgment. If the payment is not made within the stipulated period, the same shall carry interest at the rate of 6% per annum from the date of execution of work.

Meanwhile, respondent No.3 is free to settle the issue with respondent No.2.

Disposed of in the above terms.

(JITENDRA CHAUHAN)
JUDGE

06.09.2018
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No