

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

**CWP-4854-2019 (O&M)
Date of Decision:25.02.2019**

Prem Chand Goyal

... Petitioner

Versus

State of Punjab & others

... Respondents

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

Present: Mr. Prince Goyal, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

As per pleadings on record, petitioner is a 'A' Class contractor. Counsel submits that in the year 2014, certain works were allotted to the petitioner by the Water Supply and Sanitation Department, Punjab. The details of the works have been furnished in a tabulation contained in para 2 of the writ petition.

The short grievance raised in the instant petition is that inspite of the works having been executed and completed, a payment of Rs.18,33,000/- approximately has not been released.

Counsel argues that action of the respondent/authorities is arbitrary and the payment in question has been withheld without any justifiable basis. In support of such contention, counsel has also adverted to the communication dated 18.01.2019 at Annexure P-3 issued by the Executive Engineer, Water Supply and Sanitation Division No.2, Bathinda and in which the claim of the petitioner stands virtually admitted.

A submission is raised that with regard to the outstanding payment, a legal notice dated 19.11.2018 (Annexure P-2) has already been

served and it is in response thereto that the reply dated 18.01.2019 (Anenxure P-3) was received. Counsel urges that till date no payment has been released.

In view of the above and without ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the instant writ petition with a direction to respondent No.4 i.e. the Executive Engineer, Lining Division No.8, Water Supply and Sanitation, Division No.2, Bahtinda to examine the claim of the petitioner against the backdrop of a legal Notice dated 19.11.2018 (Annexure P-2) and to take a final decision in such regard within a period of eight weeks from the date of receipt of a certified copy of this Court.

Needless to observe that in case any outstanding amount is found due, the same would be released to the petitioner without delay.

It is clarified that this Court has not examined the claim of the petitioner on merits.

Disposed of.

25.02.2019

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**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |