

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

**CWP-4840-2019 (O&M)
Date of Decision: 25.02.2019**

Pankaj Kumar

... 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 2016, certain works were allotted to the petitioner by the Punjab Water Resources Management and Development Corporation Limited. 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.12,92,323/- has not been released.

Counsel argues that the action of the respondent/authorities is arbitrary and the payment in question has been withheld without any justifiable basis.

A submission is raised that with regard to the outstanding payment, a legal notice dated 15.01.2019 (Annexure P-2) has already been served and he would be satisfied if the instant writ petition was to be disposed of with a direction to the concerned authority to act upon the same within a stipulated time frame.

Submission made by counsel is found to be just and reasonable.

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 Divisional Engineer, Lining Division No.5, Punjab Water Resources Management and Development Corporation Ltd, Ludhiana to examine the claim of the petitioner against the backdrop of a legal Notice dated 15.01.2019 (Annexure P-2) and to take a final decision thereupon expeditiously and in any case 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

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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