

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

CWP No.6722 of 2019
Date of decision:-13.03.2019

M/s Jagson Developers, Bhusan Complex, G.T. Road, Batala, District
Gurdaspur

.....Petitioner

versus

The State of Punjab and others

.....Respondents

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

Present:- Mr. Balbir Singh Jaswal, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner claims himself to be a contractor engaged in the construction of National/State Highways including bridges and roads.

On 30.12.2016, the Executive Engineer (Construction Circle) PWD (B&R), Batala, District Gurdaspur allotted the work of special repair of Plan Road of Tugalwala Chak Sarif Road for the year 2016-17 to the petitioner.

The short grievance raised in the petition is that inspite of work having been completed an amount of Rs.45,00,000/-approximately has not been released.

Counsel argues that the action of the respondent authorities is arbitrary inasmuch as the concerned payment has already been approved and passed by the Sub Divisional Engineer, as per Annexure P-3 and inspite thereof, the amount in question has been withheld without any justifiable basis.

Counsel further makes a submission that even a legal notice

dated 25.01.2019 (Annexure P-4) has already been served and which has not been responded to till date. He submits that he would be satisfied if the instant writ petition were to be disposed of with a direction to the concerned respondent authorities to examine the claim of the petitioner and finalize 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 even ascertaining the correctness of the averments made in the instant petition, I deem it appropriate to dispose of the writ petition with a direction to respondent No.4 to examine the claim of the petitioner against the backdrop of the legal notice dated 25.01.2019 (Annexure P-4) and to take a final decision thereupon expeditiously and in any case within a period of eight weeks from the date of receipt of certified copy of this order.

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

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

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

13.03.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No