

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

**CWP-7266-2019 (O&M)
Date of Decision:18.03.2019**

M/s Shiva Constructions

... Petitioner

Versus

The State of Punjab & others

... Respondents

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

Present: Mr. Chirag Girdhar, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

Petitioner is stated to be a government contractor. Counsel submits that in the year 2016, the work of heavy patch work on Chawa Samrala Road (ODR)-15 was allotted to the petitioner.

The short grievance raised in the instant petition is that inspite of the work in question having been completed, a payment of Rs.47 lakhs approximately 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.

Further submission is made that a legal notice dated 01.02.2019 (Annexure P-2) has already been served upon the competent authority and he would be satisfied if the instant writ petition was to be disposed of with a direction to take a final decision thereupon 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 and without even going into the merits of the claim raised by the petitioner/Contractor, I deem it appropriate to dispose of the instant writ petition with a direction to respondent No.5 i.e. the Executive Engineer, Provincial Division, PWD (B&R) Branch, Ludhiana to examine the claim of the petitioner against the backdrop of a legal notice dated 01.02.2019 (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 amounts/funds are found due, the necessary funds would be released to the petitioner/Contractor without any further delay.

Disposed of.

18.03.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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