

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

**CWP-20101-2019 (O&M)
Date of Decision:24.07.2019**

Bharat Bhushan Contractor

... 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 Class I Government Contractor.

In the year 2018, the works of clearing the Weed, Jala, Booti, Sarkanda of Mehrajwala drain RD 0-64900, Dhigana Drain RD 0-37000, Ratta Khera Link Drain RD 0-24970, Midda Link Drain RD 0-14700, Phulliwala Link Drain RD 0-25070 Bhullerian Link Drain RD 0-15870, Tamkot Drain RD 0-4625, Chotta Ratta Khera Link Drain RD 0-3200 and Sprayaf Herbicide (Round up 41SL Glyph stats) including clearing Drain and under pucca structures was allotted to the petitioner.

The short grievance raised in the instant petition is that inspite of the work in question having been executed and completed, an amount of Rs.30,84,198/- along with security amount has not been released till date.

Counsel argues that the action of the respondent/authorities is unjust and unfair as the amount in question has been withheld without any justifiable basis.

Further submission is made that a Legal Notice dated

01.06.2019 (Annexure P-2) has already been submitted before 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, I deem it appropriate to dispose of the instant writ petition with a direction to respondent No.5 i.e. the Executive Engineer, Canal Lining Division, Sri Muktsar Sahib to examine the claim of the petitioner against the backdrop of a Legal Notice dated 01.06.2019 (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 without any further delay.

Disposed of.

24.07.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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