

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

CWP-28407-2017

Date of Decision: 27.08.2019

Sandeep Kumar

....petitioner

Versus

State of Punjab and others

.....respondents

CORAM: HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr.Kuldeep Chaudhary, Advocate for
Mr.S.K.Verma, Advocate
for the petitioner

Ms.Simran Grewal, AAG Punjab

Ms.Reeta Kohli, Advocate
for respondents No.3 and 5

Mr.Tarun Seth, Advocate for
Mr.Sumit Jain, Advocate
for respondent No.4

RAJIV NARAIN RAINA, J. (ORAL):

The petitioner is a Government Contractor, who approached this Court for release of payment of Rs.1,29,57,885/- for work done by him for the respondents-Punjab Mandi Board (for short, “the Board”).

Short reply by way of affidavit of Anup Singh, Executive Engineer (c), Punjab Mandi Board, Gurdaspur, Punjab, dated 24.04.2019, has been filed on behalf of respondents No.3 and 5. The same is taken on record.

There is a statement made in para No.6 of the affidavit that the respondent-Board has made the payment of the 3rd running bill of matching amount after deducting TDS. Learned counsel for respondents No.3 and 5 has asserted that it is not liable to pay the interest.

Since there has been delay in payment of the 3rd running bill, by the Punjab Roads and Bridges Development Board (PRBDB), which caused the delay, the PRBDB had to release the payment and as and when it is released, it would be paid to the contractors. Therefore, the petitioner is held entitled to interest @ 6% per annum on the delayed payment to be paid by PRBDB, within a period of three months from the date of receipt of certified copy of this order.

With the above observations, the petition stands disposed of.

27.08.2019

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(RAJIV NARAIN RAINA)
JUDGE