

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

CWP No. 29741 of 2017
Date of decision:-22.02.2019

Kewal Krishan Government Contractor

.....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present:- Mr. R.S. Gill, Advocate for
Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. Sahil Sharma, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

As per pleadings on record, the petitioner is a Class-I Government Contractor. Respondent No.3 i.e.the Divisional Engineer, Lining Division No.5, Punjab Water Resources Management & Development Corporation Limited, had allotted a number of works to the petitioner in the year 2016. The details of works have been enumerated in para 4 of the writ petition.

Instant writ petition has been filed raising a grievance that inspite of the work having been duly executed and completed, the payment of rupees sixty lakhs approximately has not been released.

Counsel would argue that the action of the respondent authorities is arbitrary and the payment has been with-held without any justifiable basis.

Counsel further makes a submission that even a legal notice dated 17.04.2017 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 is 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.3 to examine the claim of the petitioner against the backdrop of the legal notice dated 17.04.2017 (Annexure P-2) and to take a final decision thereupon expeditiously and in any case within a period of eight weeks from the 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

22.02.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No