

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

**CWP-24279-2019 (O&M)
Date of Decision:04.09.2019**

M/s Buildwell Construction Company ... 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.

As per pleadings on record, in the years 2013-14, work of upgradation of Link Road T-03 to Pakhowal under World Bank (RRP-II), PMGSY Phase-XI District Kapurthala Package No.PB-09-021 and Length 6.90 KM along with maintenance for 5 years 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.4,14,293/- approximately 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.

Counsel argues that the action of the respondent/authorities in having withheld the amount is arbitrary and without any justifiable basis.

Further submission is made that a legal notice dated 03.08.2019 (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.4 i.e. the Executive Engineer (C), Punjab Mandi Board, Kapurthala and to examine the claim of the petitioner against the backdrop of a legal notice dated 03.08.2019 (Annexure P-2) and to take a final decision thereupon expeditiously and in any case within a period of three months 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.

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

Disposed of.

04.09.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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