

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

**CWP-20200-2017 (O&M)
Date of Decision:29.01.2019**

The Friends Cooperative Labour & Construction Society Ltd.

... Petitioner

Versus

State of Punjab & others

... Respondents

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

Present: Mr. Sanjay Nagpal, Advocate for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

The petitioner/Labour and Construction Society was allotted two works by the Executive Engineer (E.O.), Municipal Council, Nawanshahar, District Shaheed Bhagat Singh Nagar, Punjab and the details of which have been mentioned in para 2 of the writ petition. It is the case of the petitioner/ Society that inspite of the works having been executed as per terms and conditions of the DNIT, the requisite payments were released with substantial delay.

Instant writ petition has been filed seeking a writ of mandamus directing the respondent/authorities to pay a sum of Rs.85,000/- approximately towards interest on account of delayed payment and by placing reliance upon Clause 43.1 of the Bid Document.

It is the assertion made by counsel that the claim of the petitioner would be covered as per judgment reported as **Food Corporation of India & another Vs. M/s SEIL Ltd. & others, 2008 AIR (SC) 1101.**

Counsel at this stage submits that even a legal notice dated 31.07.2017 (Annexure P-5) has been served for claiming interest on the delayed release of payments but no final decision has been taken thereupon.

In view of the claim set up in the instant writ petition and without even going into the merits of the case, I deem it appropriate to dispose of the instant writ petition with a direction to respondent No.3 to examine the claim of the petitioner against the backdrop of a legal notice dated 31.07.2017 (Annexure P-5) and to take a final decision thereupon expeditiously in accordance with law and by passing a final order within a period of two months from the date of receipt of a certified copy of this order.

Disposed of.

29.01.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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