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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(1) CM-9421-CWP-2020 in/and
CWP-2157-2020
Date of decision: 21.09.2020

Prem Pal Bathla

.....Petitioner

V/s.

State of Punjab and others

.....Respondents

(2) CM-9422-CWP-2020 in/and
CWP-2213-2020
Date of decision: 21.09.2020

Prem Pal Bathla

.....Petitioner

V/s.

State of Punjab and others

.....Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. R.K. Girdhar, Advocate, for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

Sanjay Kumar, J

CM-9421-CWP-2020 and
CM-9422-CWP-2020

These applications are ordered and the hearing of both the cases is advanced to today from 27.11.2020.

Main Cases

The grievance of the petitioner, a contractor, is that he has not been paid the amounts due for the work executed by him.

In CWP No.2213 of 2020, he claims to have executed special repairs of the Mukstar-Abohar Road via Panniwala RD 19.20-28.00 satisfactorily on 25.06.2018. His complaint presently is that ₹ 45,86,159/-, due and payable by the authorities for this work, has not been released.

In so far as CWP No. 2157 of 2020 is concerned, the petitioner claims to have completed the work of W/S of Malout-Fazilka Road RD 0.00-10.00, under the CRF Scheme, on 20.05.2018 to the satisfaction of the authorities. A sum of ₹ 1,12,32,371/- in relation to this work is stated to be due and payable as on date.

The petitioner addressed legal notices dated 16.09.2019 to the authorities concerned ventilating his grievance with regard to the payment of his dues for both these works, but to no avail. Hence, these writ petitions.

Though the matters were adjourned twice to enable the learned State counsel to get instructions, Mr. Navdeep Chhabra, learned Deputy Advocate General, Punjab, would state that he is yet to receive information from the authorities concerned.

As it is for the authorities concerned to first apply their mind to the claims of the petitioner and take a decision thereon, this Court sees no purpose served in further adjourning these matters or in keeping them pending for adjudication on merits.

The writ petitions are accordingly disposed of directing the respondents authorities in both cases to consider the petitioner's claims as per his legal notices dated 16.09.2019 and take appropriate action thereon. In the event the petitioner's claims are found to be lawful and correct, the

payments due shall be released within 4 weeks from the date of receipt of a copy of this order. In the event the authorities concerned dispute the petitioner's claims, in part or in entirety, they shall pass a speaking order to that extent and communicate the same to the petitioner within the time stipulated. It is made clear that if the amount due is released beyond the period stipulated, it shall carry interest @ 6.5 per annum from the date it fell due till the date of actual payment.

No order as to costs.

(SANJAY KUMAR)
JUDGE

21.09.2020

rakesh
whether speaking/non speaking : Yes/no
whether reportable/non reportable : Yes/no