

CWP-2155-2020 (O&M)
CWP-2281-2020 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(1.)

CM-8443-CWP-2020 in/and
CWP-2155-2020
Date of Decision:-02.09.2020.

M/s R.H.G. Constructions

.....Petitioner

Versus

The State of Punjab and others

.....Respondent

(2.)

CM-8396-CWP-2020 in/and
CWP-2281-2020

M/s R.H.G. Constructions

.....Petitioner

Versus

The State of Punjab and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Rajesh Kumar Girdhar, Advocate for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

SANJAY KUMAR, J. (Oral)

CM-8443-CWP-2020 and
CM-8396-CWP-2020

These applications are ordered and the date of hearing of the

hearing today itself.

Main Cases

The petitioner concern in these two writ petitions is one and the same. Its grievance is with regard to non-payment of its dues in relation to the construction of buildings for the judiciary, including residences, at Mukerian and Hoshiarpur in District Hoshiarpur. These works were allotted to the petitioner concern in 2018 and 2019. The payments due in relation to these works were however not released, leading to issuance of legal notices dated 10.12.2019. Thereafter, during the pendency of these writ petitions, the petitioner concern also addressed representations dated 13.05.2020. However, the State is yet to respond or take action thereupon.

Though the matter was 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 said authorities to first apply their mind to the claims of the petitioner-concern, this Court sees no purpose served in further adjourning this matter or in keeping it pending. It is for the authorities to consider the legal notices/representations received from the petitioner-concern on their own merits and take appropriate action thereon.

The writ petitions are accordingly disposed of directing respondent Nos.3 to 5 in both cases to consider the petitioner-concern's claims, as per its legal notices dated 10.12.2019 and representations dated 13.05.2020, and take appropriate action thereon. In the event the petitioner-concern's claims are found to be lawful and correct, the payments due shall

In the event the authorities dispute the petitioner-concern's claims in part or in entirety, they shall pass a speaking order to that extent and communicate the same to the petitioner-concern 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

September 02, 2020.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.