

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 7319 of 2020

Date of Decision: 30th July, 2020

M/s Brightway Contractor and Developers

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.Dheeraj Mahajan, Advocate for the petitioner.

Mr. Abhay Pal Singh Gill, Assistant Advocate General, Punjab.

AVNEESH JHINGAN, J.(oral)

The matter has been taken up for hearing through video conferencing due to COVID-19 situation.

The present petition is filed seeking direction to the respondents to release the payment along with interest which had become due to the petitioner on successful execution of the work allotted.

Learned counsel for the parties are *ad idem* that during the pendency of the present petition, the payment due has been made and the only issue survives is with regard to interest on delayed payment.

Learned counsel for the petitioner submits that there being no plausible explanation for delay of payment, the petitioner should be compensated with interest.

Learned counsel for the State submits that factual aspects need to be gone into for deciding the issue of interest and to determine the period for which the petitioner is entitled to, if so.

Considering the fact that principal amount has been paid, the petition is disposed of with a direction to respondent No. 2 to decide the issue of awarding of interest by passing a speaking order expeditiously but not later than 30th September, 2020. The order be passed after providing an opportunity of hearing to the petitioner. In case, due to COVID-19 situation, personal hearing is not possible, the needful be done through video conferencing or through other electronic medium. In case the petitioner is found entitled to interest, the same shall be paid before 30th October, 2020. If aggrieved of the order passed by respondent No. 2, the petitioner would be at liberty to avail appropriate remedies.

30th July, 2020
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No