

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-10910-2020 (O&M)
Date of decision : 30.07.2020

M/s Vishvas Construction Company

...Petitioner(s)

Versus

The State of Punjab and others

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

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

Mr. Charanpreet Singh, AAG, Punjab.

JITENDRA CHAUHAN J. (ORAL)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ of Mandamus directing the respondents to release payment of ₹7,97,004/- along with interest @ 12% per annum.

Learned counsel for the petitioner submits that at this stage he would be satisfied, if a direction is issued to respondent No.3-The Chief Engineer, Punjab Roads & Bridges Development Board, SCF 61-62, Phase-2, SAS Nagar, Mohali, to consider and decide the legal notice dated 02.03.2020 (Annexure P-3), expeditiously.

Heard.

Having regard to the prayer made and without adverting to the

merits of the case, the present petition is disposed of with a direction to respondent No.3-The Chief Engineer, Punjab Roads & Bridges Development Board, SCF 61-62, Phase-2, SAS Nagar, Mohali, to consider and decide the legal notice dated 02.03.2020 (Annexure P-3), within six weeks from the receipt of the certified copy of the judgment, in accordance with law. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to it, in such eventuality, the consequential relief be allowed, within a period of six weeks thereafter and the delayed payment shall carry interest @ 6.5% per annum from the date of completion of the work till payment. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

30.07.2020*atulsethi***(JITENDRA CHAUHAN)
JUDGE**

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