

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

107

**CWP No.11643 of 2020
Date of decision:11.8.2020**

M/S KAKAR ASSOCIATES

.....Petitioner

Vs

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

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

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner has approached this Court for the issuance of appropriate order or direction especially in the nature of mandamus directing the respondents to release the payment of Rs. 13,91,322.88 ps. including earnest money qua the work of purchase of 38 garbage containers suitable for lifting and unloading by dumper placer.

Petitioner is a government contractor. The work assigned to the petitioner was successfully completed by the

petitioner firm. Petitioner has sent number of representations including legal notice dated 1.6.2020 (Annexure P-2) for payment of his pending bills in the aforesaid amount by different invoices, but the balance payment has not been released till date. The payment is being delayed without any reasonable excuse. There is no complaint in respect of work performed by the petitioner.

Notice of motion.

On the asking of Court, Mr.Tapan Kumar, DAG, Haryana accepts notice on behalf of respondents No.1 and 2.

In view of nature of order, which this Court proposes to pass there is no necessity of serving respondent No.3 or calling upon any response from the respondents as no order prejudicial to the interest of respondents is being passed.

Since the legal notice sent by the petitioner is pending before the Executive Officer, Municipal Council, Charkhi Dadri, therefore, this petition is disposed of with a direction to respondent No.3 to take a final view on the pending legal notice (Annexure P-2) and decide the same within a period of one month from the date of receipt of certified copy of this order. If respondent No.3 comes to the conclusion that the petitioner firm is entitled for the amount in question then the

same be paid forthwith along with interest @ 6% per annum for the delayed payment from the date the amount became due within a time specified hereinabove.

August 11, 2020
anita
Whether reasoned/speaking
Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No
Yes/No