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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-11840-2020

Date of decision: 14.08.2020

M/s. Chechi Construction Company

.....Petitioner

V/s.

State of Punjab and others

.....Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

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

Mr. D.S. Sukarchakia, Deputy Advocate General, Punjab.

Sanjay Kumar, J.

The petitioner concern is aggrieved by the inaction of the State authorities, the respondents herein, in releasing its balance payment of Rs. 4,51, 761/-. It is the claim of the petitioner concern that it undertook construction of a Standard Automated Driving Test Centre in SBS Nagar District but owing to the change of site, the estimate went up from Rs. 38,05,147/- to Rs. 42,56,908/-. The petitioner states that despite completion of the work satisfactorily, the authorities only paid the initial estimated amount and the balance due, being a sum of Rs. 4,51,761/-, is not being released. The petitioner not only addressed several communications in this regard to the authorities but also legal notice dated 18.06.2020 (Annexure P-7). Its complaint presently is that the authorities remained

unmoved and did not take any action pursuant thereto.

It is not open to the authorities to extract work from the petitioner concern and remain mute when it comes to the question of payment. It is for them to consider the claim made by the petitioner for the balance payment due and the interest payable thereon. No cause is made out to entertain this writ petition for adjudication on merits when the authorities are yet to apply their mind to the issue and take appropriate action.

The writ petition is accordingly disposed of directing the respondents to take necessary suitable action upon the petitioner's legal notice dated 18.06.2020 (Annexure P-7) for payment of the balance due of Rs. 4,51,761/- and also the claim for interest thereon. This exercise shall be completed expeditiously and in any event, not later than six weeks from the date of a copy of this order. In the event the authorities find the petitioner concern disentitled to the claim as put forth by it, a speaking order shall be passed and communicated to the petitioner concern within the time stipulated.

No order as to costs.

(SANJAY KUMAR)
JUDGE

14.08.2020

rakesh

whether speaking/non speaking : Yes/no

whether reportable/non reportable : Yes/no