

M/s ASC Builders Pvt. Ltd.

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

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

SUDHIR MITTAL, J. (Oral)

The petitioner is a builder. He has executed some works for respondent No. 2. Now works are complete and although partial payments have been made, the balance amount has not been released. The bank guarantee and performance guarantee are also not being released. This is despite the fact that the Executive Engineer concerned has written letter dated 25.06.2020 (Annexure P-5) which has been followed up by legal advice dated 03.07.2020 given by the legal retainer. Even a representation dated 24.07.2020 (Annexure P-7) has been submitted but to no avail.

Learned counsel for the petitioner submits that the petitioner would be satisfied in case direction is issued to respondent No. 2 to decide his representation dated 24.07.2020 (Annexure P-7) within a time bound manner.

Notice of motion.

Ms. Monica Chibber Sharma, Sr. DAG Punjab accepts notice on behalf of respondents No. 1 and 4 and waives service. She undertakes to inform respondents No. 2 and 3. Thus, issuance of notice to respondents No. 2 and 3 is dispensed with.

Considering the nature of the order being passed there is no necessity to seek a written statement.

The petition is disposed of with direction to respondent No. 2 to consider representation dated 24.07.2020 (Annexure P-7) in accordance with rules and law and in the light of the recommendations made by the officials of respondent No. 2 and to take appropriate action thereupon within a period of eight weeks from the date of receipt of certified copy of this order. In case, an amount is found payable, the same shall be released within further period of two weeks.

18.08.2020

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(SUDHIR MITTAL)
JUDGE

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