

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 12282 of 2020 (O&M)

Date of decision : 16.9.2020

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M/s Mittal Construction Company through
its proprietor Shakti Mittal

.....Petitioner

vs.

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

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

Ms. Sunint Kaur, Assistant Advocate General, Punjab

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

Petitioner M/s Mittal Construction Company, Jaitu, now at Bathinda, through its proprietor Shakti Mittal, has brought the instant Civil Writ Petition under Articles 226/227 of the Constitution of India, against respondents i.e. State of Punjab through its Secretary, Department of Water Supply and Sanitation, Mini

Secretariat, Sector 9, Chandigarh; the Chief Engineer(Central), Department of Water Supply and Sanitation Department , Mini Secretariat, Nabha Road, Patiala; the Superintending engineer, Water Supply and Sanitation Circle, Faridkot; the Executive Engineer, Water Supply and Sanitation Division, Faridkot; the Sub-Divisional Engineer, Water Supply and Sanitation Sub Division Jaito, District Faridkot and the Chairman-cum-Sarpanch, Gram Panchayat Water Supply Scheme, Village Baja Khana, District Faridkot, for issuance of a writ in the nature of mandamus directing the respondents to make the due payment of Rs.35,50,371/- including interest, qua the work of providing water supply scheme for village Baja Khana, District Faridkot, alongwith future interest @ 12% p.a.

On getting notice, the respondents have put in appearance through State counsel.

Learned counsel for the petitioner submits that he would be satisfied if a direction is issued to the respondents to consider the claim of the petitioner and take appropriate action in the matter within a fixed time frame.

Learned State counsel appearing for the respondents states that respondents would abide by any such order passed by this court.

Accordingly, keeping in view facts and circumstances of the case and in order to avoid unnecessary litigation between the parties, the present writ petition is disposed of directing the respondents to look into the claim of the petitioner and if it is found that petitioner-firm is entitled to receive any amount, then the same be paid

alongwith interest @ 6% per annum, from the date the amount become due till the date of payment, within a period of two months from the date of receipt of a copy of this order. For the purpose of consideration, this writ petition alongwith Annexures be treated as representation by the petitioner.

Since the writ petition is not being disposed of on merits, the petitioner may take recourse to the legal remedy, in accordance with law, in case he still feels aggrieved by the decision taken by the respondents on his representation.

16.9.2020
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No