

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 12389 of 2020 (O&M)

Date of decision : 21.8.2020

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M/s ASC Builders Pvt. Ltd.

.....Petitioner

vs.

State of Punjab through its Principal Secretary,
Department of Water Supply and Sanitation,
Chandigarh and others

.....Respondents

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

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

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

Petitioner M/s ASC Builders Pvt. Ltd., has filed the instant civil writ petition under Articles 226/227 of the Constitution of India, for issuance of a writ in the nature of Mandamus directing the respondents i.e. State of Punjab through its Principal Secretary, Department of Water Supply and Sanitation, Chandigarh; the Principal Secretary to Government of Punjab, Department of Finance,

Chandigarh; The Chief Engineer (Central), Punjab Water Supply and Sanitation Department, Patiala; the Superintending Engineer, Construction Circle, Ferozepur; The Executive Engineer, Construction Division No.1, PWD B and R Branch, Ferozepur and the Executive Engineer, Water Supply and Sanitation Division, Fazilka, to release the balance payment of Rs.12,00,000/- qua the work of construction of District Administrative Complex (including Public Health and electrical Works) under Deposit Work Scheme executed by the petitioner.

Learned counsel for the petitioner has contended that before filing of the petition, the petitioner had represented to the respondents to pay its dues but that did not elicit any response. Therefore, the petitioner has knocked at the door of this court by way of filing the present writ petition.

Notice of motion.

Mr. Nikhil Chopra, Additional Advocate General, Punjab, has appeared on behalf of respondents-State and accepted notice.

Learned counsel for the petitioner submits that the petitioner would be satisfied if a direction is issued to the respondents to consider the claim of the petitioner and take necessary action in the matter within a fixed time frame, treating the writ petition alongwith Annexures as representation.

Learned State counsel appearing for the respondents has contended that respondents would comply with the directions issued by the Court.

Keeping in view the prayer made by learned counsel for the petitioner, the response given by learned State counsel and to avoid unnecessary litigation between the parties, the present writ petition is disposed of directing the respondents to consider the claim of the petitioner as detailed in the present writ petition, which alongwith Annexures be treated as representation and if it is found that some amount is legally payable to the petitioner, then the needful be done within a period of two months from today. It is further observed that if some amount is found to be due from the respondents to the petitioner, then the same be paid alongwith interest @ 6% per annum from the date the amount became payable till the date of payment.

21.8.2020
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(H.S. Madaan)
Judge

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No