

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

105

(PROCEEDINGS THROUGH V.C.)

CIVIL WRIT PETITION NO.12568 OF 2020

DATE OF DECISION: AUGUST 24, 2020

M/s Guru Kirpa Enterprises

.....Petitioner

VERSUS

The State of Punjab and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

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

Mr. Charanpreet Singh, AAG, Punjab,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court, praying for issuance of a writ of mandamus directing the respondents to release the payment of final bill amounting to ₹20,01,067/- qua the work of exterior and interior painting and other associated repair work in the Office Block of Basketball Association alongwith painting and repair of boundary wall and open stairs in Guru Nanak Stadium, Ludhiana, alongwith interest @ 12% per annum.

It is the contention of learned counsel for the petitioner due to non-receipt of any payment, a legal notice dated 08.06.2020 (Annexure P-3) was served by the petitioner after completion of work in the month of December 2019. In response thereto, the respondents have cleared the bills of the petitioner, as is apparent from communication dated 31.07.2020

(Annexure P-4) sent to the Secretary, Punjab State Sports Council,

Chandigarh-respondent No.2. Referring to this communication, he asserts that initially the Executive Engineer had cleared the bills and it is thereafter that communication has been sent to respondent No.2 for release of the requisite funds so that the payment can be made to the petitioner. He, therefore, prays that the petitioner be granted the relief as claimed in the writ petition.

Keeping in view the fact that the claim of the petitioner pertains to work, which has been completed by it in the month of December 2019 and the bills having been cleared, the writ petition is disposed of with a direction to the Secretary, Punjab State Sports Council, Chandigarh-respondent No.2 to consider the communication dated 31.07.2020 (Annexure P-4) addressed to the said authority by the Executive Engineer, Provincial Division, PWD B&R Branch, Civil Lines, Ludhiana-respondent No.6, within a period of two months from the date of receipt of certified copy of this order and release the consequential benefits to the petitioner within a further period of one month. In case the needful is not done within the specified time, the petitioner would be entitled to grant of interest @ 6% per annum from the date of accrual till the date of disbursement.

August 24, 2020
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(AUGUSTINE GEORGE MASIH)
JUDGE

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