

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.13106 of 2020
Date of Decision: 31.08.2020

Ashok Kumar Contractor ...Petitioner

Versus

The State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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

Ms. Anju Arora, Additional Advocate General, Punjab,
for the respondents.

KARAMJIT SINGH, J. (Oral)

The case has been taken up through Video Conferencing due to prevailing situation of COVID-19.

The petitioner concern was awarded the work of providing, Installing and Commissioning Sand Filtration Plant at Village Islamwala and Village Kathgarh including annual maintenance work in District Fazilka vide different agreements/allotment letters. This work was executed by the petitioner and the payment due was also released. Thereafter, the petitioner concern attended to annual maintenance of these works. Its grievance presently is that the amounts due towards such annual maintenance works, quantified at Rs.10,00,000/-, have not been released. The petitioner concern's representation dated 23.06.2020 (Annexure P-3) did not evoke any response, constraining it to approach this Court.

As it is for the authorities concerned to address the claim of the petitioner concern in the first instance, no cause is made out to entertain this

writ petition for adjudication on merits.

The Executive Engineer, Water Supply & Sanitation Division, Fazilka, the 5th respondent herein, is accordingly directed to consider and take appropriate action upon the petitioner's representation dated 23.06.2019 (Annexure P-3). This exercise shall be completed expeditiously and in any event, not later than six weeks from the date of receipt of a certified copy of this order.

In the event the Executive Engineer finds that the dues as claimed by the petitioner concern are lawful, payment shall be made within six weeks thereafter. Any belated payment beyond the stipulated period shall carry interest @ 6.5 % per annum from the date of completion of the work till payment. On the other hand, if the Executive Engineer finds that the petitioner is not entitled to the dues, as claimed by it, a speaking order shall be passed and communicated to the petitioner concern.

The writ petition is disposed of with the above directions.

No order as to costs.

(KARAMJIT SINGH)
JUDGE

31.08.2020

adhikari

Whether speaking/non-speaking	:	Yes/No
Whether reportable	:	Yes/No