

CWP No.13700 of 2020

Date of Decision : 07.09.2020

M/s JMD Traders Prop.

...Petitioner

Versus

State of Punjab and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. P.S. Rana, Advocate for the petitioner.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.

2. Prayer in the petition under Articles 226 / 227 of the Constitution of India, is for the issuance of writ of Mandamus, directing respondent No.3 to release the balance payment of Rs. 8,66,108/- due in respect of works done as per details in legal notice (Annexure P-9) dated 07.08.2020 along with interest @ 18% per annum with effect from the date of passing of the bills, till actual payment.

3. Learned counsel contends that the petitioner satisfactorily executed the works allotted and submitted final bills which were duly approved by the respondents but despite serving of legal notice (Annexure P-9) dated 07.08.2020, no decision has been made qua the claim made in the said legal notice and payment of amount due to the petitioner.

4. Learned counsel contends that in the circumstances, the petitioner would be satisfied, if the writ petition is disposed of by directing respondent No.3 to consider and decide the claim made in the legal notice (Annexure P-9) dated 07.08.2020, in accordance with law, in a time bound

manner.

4. Notice of motion to respondent No.3 only.

5. Mr. Joginder Pal Ratra, DAG, Punjab, accepts notice and states that he has no objection to the limited prayer made by learned counsel for the petitioner.

6. Without commenting upon the merits of the controversy or the entitlement of the petitioner to the relief claimed, the writ petition is ***disposed of*** by directing respondent No.3 to consider and decide the claim made in the legal notice (Annexure P-9) dated 07.08.2020, in accordance with law, after taking into account all aspects of the matter as expeditiously as possible, preferably within a period a period of 06 weeks from the date of receipt of certified copy of this order. In case the petitioner is found entitled to payment claimed or any other amount, the same be released to the petitioner within four weeks thereafter.

(B.S. Walia)
Judge

September 07, 2020

'Rajneesh-Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>