

108.

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-15458-2020

Date of decision: 25.09.2020.

TARUN BANSAL CONTRACTOR

... Petitioner

versus

PUNJAB STATE TRANSMISSION CORPORATION LTD. AND
OTHERS.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

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

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this writ petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of mandamus directing the respondents to release the payment of Rs.4,98,000/- including security qua the work of earth filing as per specifications, at 400 KV Sub-Station Village Behman Jassa Singh, Tehsil Talwandi Sabo, District Bathinda, executed by the petitioner, along with interest.

Learned counsel for the petitioner submits that for the relief claimed in the present petition, the petitioner has already submitted a representation for the release of balance amount, dated 25.09.2019 (Annexure P-2), but since no payment was released, the petitioner was constrained to submit a legal notice, dated 09.08.2020 (Annexure P-3).

Learned counsel further submits that at this stage, the petitioner would be satisfied in case a time bound direction is issued to the respondents to take note of the legal notice and to take a final decision thereof.

Heard.

Without making any observation as regard the claim so projected by the petitioner in the petition, and as the entitlement of the claim is always subject to determination by the authorities, of course on the basis of relevant record, the present petition is disposed of at this stage with a direction to the respondents to take note of the contents of the legal notice and to take a final call on the said legal notice, preferably within a period of 6 months from today.

However, in case, the competent authority finds that the claim projected by the petitioner in the legal notice is worth acceptance as per the work executed and the record thereof, in that eventuality, the petitioner be released the outstanding amount, however, with interest @ 6.5% per annum from the date of entitlement of such payment till the final payment is released in favour of the petitioner. Furthermore, if the competent authority finds that the claim projected by the petitioner is not entertainable or there is exorbitant projection of the claim, the authorities shall pass a speaking order enabling the petitioner to avail legal remedy in accordance with law.

(HARI PAL VERMA)
JUDGE

25.09.2020
sanjeev

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