

**In The High Court for the States of Punjab and Haryana  
At Chandigarh**

CWP-16042-2020 (O&M)  
Date of Decision:-1.10.2020

M/s Mittal Construction Co. ... Petitioner

Versus

State of Punjab and others ... Respondents

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Anubhav Bansal, Advocate for the petitioner.

Ms. Sudeepti Sharma, Additional Advocate General, Punjab.

*(proceedings conducted through video conferencing)*

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**GURVINDER SINGH GILL, J.**(Oral)

1. The petitioner claims that he was allotted the work of providing and installing a continuous sand filter plant with active carbon filter having capacity of 50000 liters per hour of safe drinking water by respondent No.4-The Executive Engineer, Water Supply and Sanitation Division, Fazilka, District Fazilka and that the said work was to be undertaken in two parts i.e. Part-A and Part-B. It is contended that although the petitioner has undertaken the aforesaid work as per schedule but only a part payment in respect of the same has been released and the entire payment has not been released so far despite the petitioner having represented and also having sent a reminder vide letter dated 10.8.2020 (Annexure P-5).
2. Having heard the learned counsel for the petitioner and while refraining from making any expression as regards merits of the case, the petition is disposed of with a direction to respondent No.4-The Executive Engineer,

Water Supply and Sanitation Division, Fazilka, District Fazilka to consider and take appropriate action upon the petitioner's representation/letter dated 3.5.2019 (Annexure P-4) and letter dated 10.8.2020 (Annexure P-5). 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.

3. In the event respondent No.4-The Executive Engineer, Water Supply and Sanitation Division, Fazilka, District Fazilka finds that the dues as claimed by the petitioner concerned 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 respondent No.4-The Executive Engineer, Water Supply and Sanitation Division, Fazilka, District Fazilka 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 concerned.
4. At this stage, Ms. Sudeepti Sharma, Additional Advocate General, Punjab, upon whom an advance copy of petition had already been served, has assured that the needful shall be done as per rules in compliance of the aforesaid order.

**1.10.2020**

pankaj

**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned                      Yes / No

Whether Reportable                                  Yes / No