

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

CWP-17687-2020

Date of Decision: 27.10.2020

M/S HIGHWAY BUILDERS, SANGRUR

....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

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

Mr. Abhaypal Singh Gill, AAG, Punjab.

SANT PARKASH J.

*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)*

By way of filing the present writ petition, the petitioner has sought a writ in the nature of mandamus seeking direction to the respondents to release the due payment of Rs.8,35,706/- qua the earth works upto open graded premix carpet with seal coat for raising/strengthening of link roads falling in constituency Dhuri, executed by the petitioner, along with interest @ 12% per annum.

The petitioner is a government contractor, who executed various works assigned to it from time to time. On 13.01.2014, the earth works upto open graded premix carpet with seal coat for raising/strengthening link roads falling in constituency Dhuri were allotted to the petitioner, which have been completed by the petitioner but due

payment of these works is not being released to the petitioner. The petitioner also served legal notice (P-4) to respondent No.5, but till date due payment has not been released to the petitioner nor any response has been received.

Notice of motion.

At this stage, Mr. Abhaypal Singh Gill, AAG, Punjab, accepts notice.

I have heard learned counsel for the parties and with their able assistance have perused the pleadings of the case. The limited prayer made in the instant writ petition is for release of the due payment of Rs.8,35,706/-. Since the prayer of the petitioner is limited to the extent of release of due payment qua the earth works, this petition is being disposed of, by giving a direction to the respondents to consider legal notice (P-4) and averments made in the instant petition and decide the same in accordance with law within a period of four weeks from the date of receipt of certified copy of this order. It is made clear that if the alleged payment is due towards the petitioner, the same be released.

October 27, 2020
sonika

(SANT PARKASH)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No