

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

**CWP-19226-2020(O&M)
Date of Decision: 12.11.2020**

Gurcharan Singh Contractor

..... Petitioner

versus

The State of Punjab and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

Mr. Abhay Pal Singh Gill, AAG, Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner claims himself to be a contractor.

A writ of mandamus is sought for directing the respondent-authorities under the Punjab Water Supply and Sanitation Department, State of Punjab to release the balance payment amounting to Rs.40 Lakhs approximately in lieu of works which already stand executed by the petitioner.

Counsel submits that certain works relating to different water supply schemes were allotted to the petitioner between the years 2014-2018 by the Executive Engineer, Water Supply and Sanitation Division, Fazilka. Such works have since been completed. It is further urged that there is no complaint against the petitioner-contractor with regard to the work executed. Yet the balance payment as also security amount pertaining to such works have not been released. The details of the works executed and the amount payable to the petitioner have been furnished in a tabulation contained in para 2 of the writ petition.

Counsel argues that the action of the State Government/instrumentality is patently unjust and arbitrary. At this stage counsel makes a statement that he would be satisfied if the writ petition were to be desisted of with a direction to the concerned authority to examine the claim of the petitioner and to take a final decision in the matter within a reasonable time frame.

Submission advanced by counsel is found to be just and reasonable.

In view of the above and without ascertaining the correctness of the averments made in the petition and without going into the merits of the case, I deem it appropriate to dispose of the same with a direction to respondent No.4 to examine the claim of the petitioner against the backdrop of a representation dated 08.05.2020 (Annexure P-3) and to take a decision thereupon within a period of two months from the date of receipt of a certified copy of this order.

In case any payments are found due, the same be released to the petitioner without any further delay. In the eventuality of the fourth respondent deciding against the petitioner, a reasoned speaking order be passed and conveyed to him.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

12.11. 2020
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No