

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

(Proceedings conducted through video conferencing)

CWP No.19604 of 2020(O&M)

Date of decision: 18.11.2020

M/s Pankaj Jindal Contractor

.....Petitioner

VERSUS

State of Punjab and others

.....Respondents

CORAM: **HON'BLE MRS. JUSTICE REKHA MITTAL**

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

REKHA MITTAL, J. (Oral)

Counsel for the petitioner would contend that despite letter (Annexure P/2) having been written by Executive Engineer, Provincial Division, PWD B&R Branch, Sangrur to the Chief Engineer (South), Punjab Public Works Department, Building & Roads Branch, Patiala for release of funds amounting to Rs.991.91 lacs in respect of works executed by various contractors including M/s Pankaj Jindal Contractor, Patiala, reference whereof has been made at Sr. No.2 of the aforesaid letter, the petitioner has not been made payment of more than Rs.2 crores outstanding in respect of upgradation of road Kadrabad to Nadampur Bhawanigarh Samana Road. He would inform that legal notice dated 15.10.2020 was issued to the Executive Engineer aforesaid but till date no final decision in the matter has been taken. He would pray that petition may be disposed of with a direction to the addressee of legal notice to take a final decision in the matter, in a time-bound manner.

Notice of motion.

Sh. Shireesh Gupta, Senior DAG, Punjab accepts notice on behalf of the respondents.

Taking into consideration the limited prayer made by the petitioner and nature of order which this Court proposes to pass, there is no necessity of calling upon the respondents to file response.

In view of the above, without expressing any opinion on merits of the case, petition is disposed of with a direction to the Executive Engineer aforesaid to decide the legal notice (Annexure P/3), in accordance with law, within a period of one month from the date of receipt of certified copy of the order. The authority concerned would be at liberty to refer the issue to any of its officers, competent to deal with payment of demanded amount. In case, claim of the petitioner is accepted, payment shall be released within a period of 4 weeks of decision taken by the competent authority. However, in case the relief claimed by the petitioner is not accepted, petitioner shall be at liberty to avail its legal remedy, in accordance with law. It is clarified that the legal notice shall be decided by the competent authority by passing a speaking order.

NOVEMBER 18, 2020		(REKHA MITTAL)
‘D. Gulati’		JUDGE
Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no