

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

103

**CWP No.20657 of 2020
Decided on:03.12.2020**

M/s Pankaj Jindal Contractor

... Petitioner

Versus

The State of Punjab and others

... Respondents

CORAM : HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present : Mr. Chirag Girdhar, Advocate
for the petitioner.

Ms. Sudeepti Sharma, Additional AG, Punjab.

(The proceedings are being conducted through
video conferencing as per instructions.)

G.S. Sandhawalia, J. (Oral)

The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking directions for payment of Rs.19,22,926/- qua the maintenance work of up-gradation of link road Khiala Malkpur (HS Road) to Burj Hari to Kothe Major Singh under World Bank RRP-II PMGSY, Phase-XI, Package No.PB-1122, executed by the petitioner along with interest at the rate of 12% p.a.

It is the case of the petitioner that vide letter dated 18.06.2013 (Annexure P-1) he was allotted the maintenance work and he had successfully completed the work on 03.11.2014. Thereafter, he commenced the maintenance work and payment from 04.11.2014 to 03.11.2015 has been paid. The balance payment thereafter has not been paid details of which have been given in para No.3 of the petition. It is submitted that number of

representations have been served upon the respondents and demand has been raised vide latest representation dated 02.11.2020 (Annexure P-3). It is thus submitted that the payment is liable to be released.

Notice of motion.

Ms. Sudeepti Sharma, Additional AG, Punjab, accepts notice on behalf of the State-respondent Nos.1 and 2.

Keeping in view the facts that the decision making is still to be completed as the demand has only been raised on 02.11.2020 (Annexure P-3), the reply is not being called for from the respondents including the Punjab Mandi Board, which is arrayed as respondent Nos.3 to 6 and who have to make the payment as such.

Counsel for the petitioner submitted that he would be satisfied if a time bound direction is given as such to the said respondents to decide the representation (Annexure P-3).

Without commenting on the merits of the case for the entitlement of the petitioner for payment, petition is disposed of with the directions to respondent Nos.3 to 6/competent authorities to take action on the representation dated 02.11.2020 (Annexure P-3). If the payment is due, the same be released to the petitioner within a period of two months from the date of the certified copy of the order. On account of the delay as such since the payment pertains to the years 2015, 2016 onwards, the said authority shall also consider and grant of interest at the rate of 6% per annum from the date of its due. In case, there is any legal impediment that the maintenance work has not been completed to the satisfaction of

the respondents, a reasoned order be passed and conveyed to the petitioner.

Accordingly, the present writ petition is disposed of with the above said observations.

03.12.2020
Parveen

(G.S. SANDHAWALIA)
JUDGE

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