

104 (2nd case)

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

CWP No.622-2021

DATE OF DECISION : 18.01.2021

Surinder Singh Government Contractor
Versus

...Petitioner

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

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

Mr. Charanpreet Singh, AAG, Punjab.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioner, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to make the payment, of what is alleged to be an admittedly due amount, of Rs.10,29,455/- qua the work already executed by the petitioner along with interest.

2. Learned counsel for the petitioner submits that work was allotted to the petitioner in the year 2019, vide two allotment letters. The petitioner commenced work soon thereafter and successfully completed the same. Notwithstanding, payment has not been made without any reasonable cause while the petitioner has been suffering heavy loss.

3. In the premise, petitioner submitted various representations followed by legal notice dated 14.12.2020 (Annexure P-3) but to no avail. Hence, the instant petition.

4. Learned counsel relies on an order passed by a coordinate Bench of this Court in *CWP No.19613 of 2020 decided on 19.11.2020 titled as "M/s*

SVA Constructions Vs. State of Punjab and others" contained at Annexure P-4.

5. Learned counsel for the petitioner submits that he would be satisfied, at this stage, if instant petition is to be disposed of with a direction to take a final decision on his legal notice dated 14.12.2020 (Annexure P-3) within a stipulated time frame.

6. Notice of motion.

7. Mr. Charanpreet Singh, AAG, Punjab who has joined proceedings on service of advance copy of this petition appears and accepts notice on behalf of the respondent-State of Punjab.

8. Given the nature of order being passed, there is no necessity to seek return by any of the respondents, as no further proceedings and/or pleadings are required.

9. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per legal notice dated 14.12.2020 (Annexure P-3) and also by keeping in view the contentions stated in the present petition by treating the same as supplementary representation and decide the same by passing a speaking order, in accordance with law.

10. Let the needful be done within a period of two months from today.

11. In the event, petitioner is found entitled to the payment as contended by him, same shall be released to him within a period of 01 month from the date of passing of the aforesaid speaking order.

12. Disposed of accordingly.

January 18, 2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No