

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

**Date of Decision : January 27, 2021**

**1. CWP- 1781-2021**

**M/s J.K. Associates**

**..... PETITIONER(S)**

**VERSUS**

**The State of Punjab and others**

**.... RESPONDENT(S)**

**2. CWP- 1829-2021**

**M/s J.K. Associates**

**..... PETITIONER(S)**

**VERSUS**

**The State of Punjab and others**

**.... RESPONDENT(S)**

**CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR**

Present: Mr. R.K. Girdhar, Advocate, for the petitioners.  
Mr. Avinit Avasthi, Assistant Advocate General, Punjab.

...

**Sanjay Kumar, J.**

By way of these two writ petitions, the petitioner-firm seeks

release of the payments allegedly due for the works undertaken by it.

In CWP-1781-2021, the petitioner-firm seeks release of a sum of ₹ 13,40,827/-, stated to be due for maintenance works in relation to upgradation of various roads. In CWP-1829-2021, the petitioner-firm seeks release of the balance payment of ₹ 1,18,23,588/- allegedly due to it for providing and laying CC Flooring in various villages of District Fazilka. The petitioner-firm's legal notice dated 21.12.2020 in relation to the 1<sup>st</sup> writ petition and its legal notice dated 12.12.2020 in relation to the 2<sup>nd</sup> writ petition are still pending consideration before the authorities.

It is indeed unfortunate that the authorities choose to ignore the legal notices received by them from contractors in relation to the amounts allegedly due to them for execution of works for the State. In the event the authorities have any dispute with regard to the contractors' claims, it is for them to respond suitably to such legal notices and clarify their stand. It is not open to the authorities to remain silent and blithely ignore grievances ventilated by contractors through their legal notices.

In any event, it is for the authorities concerned to address the petitioner-firm's claims as put forth in the two legal notices, referred to *supra*, in the first instance and no cause is made out for this Court to entertain these writ petitions for adjudication on merits at this stage.

Both the writ petitions are accordingly disposed of directing the respondent-authorities in each of the cases to consider the respective legal notices received by them from the petitioner-firm and take appropriate action in relation thereto. In the event the claims are found to be without merit, be it on whatever ground, the authorities shall pass reasoned orders and communicate the same to the petitioner-firm. If,

however, any amount is found due and payable to the petitioner-firm, the same shall be released in its favour along with interest, if any, if the claim for interest is found to be tenable. This exercise, one way or the other, shall be completed expeditiously and in any event, not later than 6 weeks from the date of receipt of a certified copy of this order.

No order as to costs.

January 27, 2021  
Kang

( Sanjay Kumar )  
Judge

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |