

102-B

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

CWP No.2069 of 2021 (O&M)
DATE OF DECISION: 29.01.2021

M/s Fairtel Telecom & Computer Networks

.....Petitioner

versus

The State of Punjab and others

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Rajesh Kumar Girdhar, Advocate for the petitioner

..

ALKA SARIN, J. (Oral):

Heard through video conferencing.

The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to make the due payment of Rs.23,76,684/- including interest qua the work of Providing E.I. & Campus Lighting in Tehsil Complex at Dharamkot, District Moga (Computer Network System only) executed by the petitioner.

As per the averments made in the petition, the petitioner executed various works assigned to it from time to time and there was never any complaint. On 15.03.2016, the work of Providing E.I. & Campus Lighting in Tehsil Complex at Dharamkot, District Moga (Computer Network System only) was allotted to the petitioner vide Allotment Letter No.1343 dated 15.03.2016 (Annexure P-1). It is further averred in the petition that the petitioner executed the work within the stipulated period and the same was also verified by the concerned officials.

Learned counsel for the petitioner contends that there was no dispute regarding the work executed by the petitioner. However, despite the defect liability period of the work having expired, the due payment has not been released to the petitioner. The learned counsel further contends that the petitioner has also sent a representation dated 05.10.2020 (Annexure P-2) in this regard, however, no decision has been taken on the same.

Learned counsel for the petitioner submits that at this stage he would be satisfied if the representation dated 05.10.2020 (Annexure P-2) submitted by the petitioner is decided in a time-bound manner in accordance with law.

Notice of motion.

On the asking of the Court, Mr. Sahil Sharma, DAG, Punjab has joined the session through video conferencing and accepts notice on behalf of all the respondents.

In view of the limited prayer made by learned counsel for the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, the present petition is disposed off by directing respondent No.7 - The Executive Engineer, Electrical Division, Punjab PWD, B&R Branch, Faridkot - to decide the representation (Annexure P-2) given by the petitioner by passing a speaking order in accordance with law within a period of two months from the date of receipt of certified copy of this order and, if the petitioner is found entitled to the payment, as claimed, the same be released within a reasonable period thereafter.

Disposed off accordingly.

(ALKA SARIN)
JUDGE

29.01.2021
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