

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

**CWP-3237-2020(O&M)
Date of Decision:08.01.2021**

Sukhmander Singh

..... Petitioner

versus

The State of Punjab and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

Mr.Suveer Sheokand, Addl.AG, Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner is a contractor. The work of constructing V.R. Bridge at RD 406800/420214 of Sakki Nallah connecting village Hardoshanni to Balaggan Road was allotted to the petitioner on 25.11.2011.

Instant petition was filed raising a short grievance that payments in lieu of work executed have not been released.

Advance copy of the petition was served upon the State of Punjab. A response by way of affidavit of the Executive Engineer, Drainage Division, Gurdaspur on behalf of respondents No.1, 3 and 4 has been filed and placed on record. Copy has been furnished to counsel opposite.

In para 1 of the preliminary submissions contained in the reply a categoric stand has been taken that the petitioner has completed 60% work

of construction and payment to the tune of Rs. 98.83 lakhs in lieu thereof has already been released. Remaining work was stopped due to paucity of funds. Accordingly petitioner has also not executed any further work of the bridge. In the same breath it has been conceded that a security amount of Rs.3,40,134/- is pending and the same would be released after receipt of sanction from the competent authority under the State Government.

Mr.Suveer Sheokand informs the Court that sanction has been sought vide Annexure R-1 dated 03.12.2020 and in any event the security amount afore-noticed shall be released to the petitioner within a period of two months from today.

Statement is accepted.

No further directions are required to be passed.

Writ petition disposed of.

It is clarified that in case the security amount is not released to the petitioner in terms of the time frame as indicated by learned State counsel, the petitioner would then be entitled to interest @ 6% per annum for the delayed period.

(TEJINDER SINGH DHINDSA)
JUDGE

08.01.2021
sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No