

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

**CWP-4334 of 2021
Date of Decision: 24.02.2021**

M/s Oberoi Construction Corporation ...Petitioner

Versus

State of Punjab and others ..Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

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

Mr. Sahil Sharma, DAG, Punjab.

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/Security deposit of Rs.19,06,470/- qua the work already executed by the petitioner alongwith interest.

2. Learned counsel for the petitioner submits that work was allotted to the petitioner in the year 2016. Petitioner commenced work soon thereafter and successfully completed the same. The total amount of final bill and security amount payable to the petitioner was Rs.83,79,989/-. Notwithstanding, balance amount of Rs.19,06,470/- has not been remitted till date, without any plausible reason, while on the other hand petitioner has been suffering financial loss.

3. In the premise, petitioner also submitted various representations followed by latest representation dated 01.01.2021 (Annexure P-7), but to no avail. Hence, the instant petition.

4. Learned counsel for the petitioner submits that he would be satisfied, at this stage, if a final decision is taken by the respondents on the pending representation dated 01.01.2021 (Annexure P-7).

5. Notice of motion. Mr. Sahil Sharma, DAG, Punjab on service of advance copy of this petition appears and accepts notice on behalf of the respondent-State of Punjab.

6. 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.

7. 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 representation dated 01.01.2021 (Annexure P-7) 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.

8. Let the needful be done within a period of four weeks from today. In case, favourable order is passed, benefit thereof be accorded within a period of six weeks thereafter, failing which petitioner shall be entitled to interest @ 9% p.a. recoverable from the salary of the erring official.

9. Disposed of accordingly.

February 24, 2021

vandana

(ARUN MONGA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No