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

**CM-13971-CWP-2021 in/and  
CWP-4810-2020 (O&M)  
Date of Decision: 01.10.2021**

**INDERJEET SINGH**

..... Petitioner(s)

**Versus**

**STATE OF PUNJAB AND OTHERS**

..... Respondent(s)

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL**

Present: Mr. Abhinav Gupta, Advocate  
for the non-applicant/petitioner.

Mr. TPS Chawla, Dy. AG., Punjab.

Mr. A.D.S. Jattana, Advocate  
for the applicant/respondents no.3 and 4.

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**LISA GILL, J.**

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

**CM-13971-CWP-2021**

Order dated 13.09.2021 annexed as Annexure R1 alongwith the application, is taken on record, subject to just exceptions.

Application is disposed of.

**CWP-4810-2020**

Prayer in this writ petition is for directing the respondents to release the amount due towards petitioner for labour and cartage work executed by the petitioner for respondent no.4 way back in the year 2016-2017 with penal interest.

Learned counsel for the petitioner submits that work in question was duly allotted to the petitioner vide tender order dated 12.04.2016 (Annexure P-2). After completion of work assigned to the petitioner, he raised the bills accordingly. It is further submitted that CWP-1608-2017 was filed by one Mahinder Pal claiming that work in question was done by him instead of petitioner. CWP-1608-2017 was disposed of on 07.02.2017 (Annexure P-5), directing the respondents to decide the legal notice served by Mahinder Pal by passing a speaking order. Legal notice served by Mahinder Pal was decided by passing a speaking order dated 20.04.2017 (Annexure P-6), wherein it is clearly admitted that the work in question was executed by the petitioner in a satisfactory manner. Mahinder Pal, thereafter, filed CWP-15081-2018, challenging order dated 20.04.2017, which was dismissed for non-prosecution on 08.07.2019. Petitioner thereafter, it is submitted, approached the respondents time and again for release of payment due to him but to no avail. Legal notice dated 20.12.2019 (Annexure P-9-colly) was also served upon the respondents but to no avail. Thereafter, this writ petition was filed.

Affidavit dated 20.09.2021 of General Manager, (Legal and Arbitration), Punjab State Civil Supplies Corporation has been filed. In the communication (Annexure R-1) annexed alongwith the affidavit, it is stated that payment due towards petitioner has been released, which is detailed as here under:-

|                                    |                    |
|------------------------------------|--------------------|
| Bill claimed                       | 17,08,311/-        |
| Less:TDS                           | 17,084/-           |
| Less: Amount withheld on AV of EPF | 2,50,394/-         |
| <b>PAYABLE AMOUNT</b>              | <b>14,40,833/-</b> |

Learned counsel for the respondents submits that delay in release of payment has occurred due to the dispute raised by Mahinder Pal. However, in my considered opinion, no justifiable explanation has come forth for such delay in release of payment to the petitioner. Thus, keeping in view the facts and circumstances, petitioner is held entitled to interest at the rate of 6.5% from 20.12.2019 on the amount found due to him. Same be released within six weeks from the date of receipt of certified copy of this order.

Writ petition is disposed of accordingly.

**01.10.2021**

Sunil

**(LISA GILL)  
JUDGE**

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