

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

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**CWP No.8909 of 2021
Decided on : 27.04.2021**

Anand Kumar Kuchhal and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Aman Pal, Advocate for the petitioners.

(The proceedings have been conducted through video
conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioners who are contractors in the present writ petition filed under Articles 226/227 of the Constitution of India seek directions for issuance of a writ in the nature of mandamus directing the respondents to make the due payments of the bills as mentioned in the table (Annexure P-1) qua the works done by them alongwith interest @ 12% per annum.

Counsel for the petitioners submits that he would be satisfied if the representation dated 13.08.2020 (Annexure P-2) is decided in a time bound manner.

It is the case of the petitioners that works allotted to them as such have been completed, but the payments of the bills have not been released, in spite of the said representation.

Notice of motion.

Mr. RKS Brar, Addl. AG, Haryana accepts notice on behalf of the respondents No.1 & 3 and on the asking of the Court on behalf of respondent No.2-Municipal Corporation, Sonapat.

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Keeping in view the fact that the decision making is still incomplete, no useful purpose will be served to call upon the respondents for filing reply, as it would cause inordinate delay in deciding the proceedings.

Accordingly, without commenting upon the merits of the case or entitlement of the petitioners, the present petition is disposed of with the directions to respondent No.2 to treat the writ petition as representation alongwith the representation dated 13.08.2020 (Annexure P-2) and decide the same within a period of six weeks from from the receipt of the certified copy of this order. In case the necessary payments are found admissible and there is no dispute as such regarding the quality and quantity of the construction, the petitioners shall be released the said amount within a period of four weeks, thereafter with interest @ 7% per annum. In case there is any legal impediment, reasons be given for the denial of the claim. It is open to the respondent No.2 to pass a specific order qua each contractor separately to deny the said benefit.

Disposed of.

April 27, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No