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

**CWP No.22407 of 2021
Date of Decision:03.11.2021**

M/S Pacific Engineers & Builders**Petitioner**

Vs

The State of Punjab and Others**Respondent**

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr.R.K Girdhar, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Petitioner has prayed for issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to pay an amount of Rs.8,65,795/- for the work done by the petitioner i.e construction of fish market at Ghalori MC Patiala, District Patiala.

Learned counsel for the petitioner submits that the petitioner is a work Government contractor and has executed numerous work assignments allocated to it by the petitioner from time to time. The work of construction of fish work at Ghalori MC Patiala, District Patiala was allocated to the petitioner on 08.03.2019 and the petitioner has successfully completed the said assignment in time. Defect liability period has also expired without there being any pointed finger against

the petitioner. In terms of quality of work done by the petitioner, final bills of civil work, electrical and public health work have not been released to the petitioner so far. Petitioner is also entitled for refund of security which has been deducted from the running bills.

Precisely, for the grievance in question, petitioner has moved a representation dated 01.09.2021 before respondent No.4 but the same has not been decided so far.

Notice of motion.

On asking of the Court Ms. Ambika Bedi, AAG, Punjab accepts notice on behalf of all the respondent.

In view of nature of order which this Court proposes to pass, there is no necessity of serving respondent No.1 to 3 or calling upon response from the respondents as no order prejudicial to the interest of respondents is being passed.

Since the legal notice sent by the petitioner is pending before respondent No.4, therefore, this petition is disposed of with a direction to respondent No.4 to decide the legal notice of the petitioner dated 01.09.2021 in accordance with law, preferably within a period of one month from the date of receipt of certified copy of this order. If respondent No.4 comes to the conclusion that the petitioner firm is entitled for the amount in question, then the same be paid forthwith along with interest @

6% per annum for the delayed payment from the date of amount became due within a time specified hereinabove.

03.11.2021
Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No