

122

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

**CWP No.22394 of 2021
Date of Decision:03.11.2021**

M/s Bhandari Engineering Co. Pvt. Ltd. **Petitioner**
Vs
The State of Punjab and others **Respondent**

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr.R. KGirdhar, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to release balance payment of Rs.66,03,286/- qua the work of Construction of District Administrative Complex at Pathankot, District Pathnakot along with interest.

Learned counsel for the petitioner submits that the petitioner is a private limited company and has executed various work assignments allotted to it by the respondents from time to time. Work of construction of District Administrative Complex at Pathankot, District Pathankot was allocated to the petitioner on 05.02.2015. Petitioner has successfully completed the assignment. Even defect liability period has expired in the year 2018 without there being any pointed finger against the work

done. 5th running bill, 6th and final bill of the work done have been passed. Balance amount is not in dispute. The balance amount has not been paid to the petitioner despite number of representations made by the petitioner. A balance amount of Rs.66,03,286/- is still to be paid to the petitioner. For the delayed payment, petitioner also seeks appropriate interest to be paid to the petitioner.

Notice of motion.

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

In view of nature of controversy involved in the present representation, learned counsel for the petitioner submits that he would be satisfied in case representation dated 14.01.2021 is ordered to be decided by respondent No.7 within a stipulated time. Prayer of the petitioner at this stage is innocuous enough to be accepted.

In view of facts and circumstances of the case and without meaning on the merits of the case, it would be just and appropriate to direct respondent No.7 to have a glance over the grievance of the petitioner which is pending before it in the form of representation dated 14.01.2021.

Let the representation be decided within one month from the date of receipt of certified copy of this order. In case

the entitlement of the petitioner is established, then, in such eventuality, needful in the context of making good the payment be made in further period of two weeks along with interest @ 6 % per annum on the delayed payment from the date of accrual, till final realization of the amount.

03.11.2021

Amandeep

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No