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

CWP No.23080 of 2021

Date of Decision: 15.11.2021

M/S GURINDER SINGH CONTRACTOR

.....Petitioner

Vs

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

RAJ MOHAN SINGH, J.(Oral)

Petitioner has preferred this petition for the issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to release the balance payment of three works of Rehabilitation of Jalandhar Branch executed by the petitioner along with interest.

Learned counsel for the petitioner submits that the works of rehabilitation of Jalandhar Branch were allotted in the year 2016. Petitioner has already successfully completed the work assignments within the stipulated period. Even defect liability period has also expired in the year 2018 without there being any defect pointed out by the respondents/Department.

Vide letter dated 11.01.2021, respondent No.5 has acknowledged the claim of the petitioner by writing a letter to respondent No.4 for the release of requisite funds so as to answer the claim of the petitioner. Precisely for the claim in question, the petitioner has also moved a representation to respondent No.5 on 15.09.2021 which is still pending.

Notice of motion.

On asking of the Court, Mr. Kanisth Ganeriwala, Asstt. A.G., Punjab accepts notice on behalf of the respondents.

Learned counsel for the petitioner submits that the petitioner would be satisfied in case necessary directions are issued to respondent No.5 to decide the representation within a stipulated period.

In view of nature of order which this Court proposes to pass at this stage, there is no necessity of calling upon response from the respondent(s) at this stage, as no order prejudicial to the interest of the parties is being passed.

In view of above, this petition is disposed of by directing respondent No.5 to take notice of the representation dated 15.09.2021 moved by the petitioner-firm and decide the same within a period of one month from the date of receipt of certified copy of this order. In case, respondent No.5 ultimately comes to the conclusion that the petitioner-firm is entitled for the amount in question, then the same be paid forthwith along with the

interest @6% per annum for the delayed payment from the date of its accrual till final realisation of the amount.

November 15 , 2021

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Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No