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

CWP No. 23751 of 2021
Date of Decision: 23.11.2021

Manmohan Singh Contractor

-Petitioner

Versus

The 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)

The case has been taken up for hearing through video conferencing.

Petitioner has preferred this petition for issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to pay an amount of Rs.68,65,102/- qua the work done by the petitioner.

Petitioner is a government contractor and has executed various work assignments assigned to him by the respondents from time to time. The work of supply of sheet piles on rental basis including carriage, driving and removing of sheet piles using required machinery for the work of construction of escape regulator-cum-bridge at Sirhind Canal was allocated to

the petitioner on 11.05.2021. Petitioner has successfully completed the work assigned on 31.08.2021. Respondents have already made the payment of first running bill dated 26.05.2021. The payment of second and final bill amounting to Rs.68,65,102/- has not been released to the petitioner so far. The work has been successfully completed by the petitioner. Even a certificate in this regard has also been issued by the respondents to show that the work has been completed according to the specifications without any default liability.

Precisely for the claim in question, the petitioner has already approached the respondents by way of filing representations including legal notice before respondent No.4, but the claim of the petitioner is not answered so far.

Notice of motion.

On the asking of the Court, Mr. T.P.S. Chawla, D.A.G., Punjab accepts notice on behalf of the respondents.

In view of nature of order which this Court proposes to pass, there is no necessity of calling upon response from the respondents at this stage, as no order prejudicial to the interest of any party is being passed.

This petition is disposed of with a direction to respondent No.4 to take an appropriate decision on pending representation/legal notice filed by the petitioner and decide the

same 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 ultimately comes to the conclusion that the petitioner is entitled for the amount in question, the same be paid forthwith within a further period of one month. In case, the amount in question is not paid within the aforesaid period of one month, thereafter, the petitioner shall be entitled to interest @ 6% per annum for the delayed payment thereafter till final realization of the amount.

23.11.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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