

118

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

CWP No. 24300 of 2021

Date of Decision: 01.12.2021

The Duraka Co-op L&C Society Ltd. Mansa

-Petitioner

Versus

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Abhinav Singla, 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 make payment of Rs.4,17,539/- on account of work done by the petitioner to the satisfaction of the respondents.

Petitioner is a government contractor and has executed various work assignments assigned to it by the respondents from time to time. There was no complaint whatsoever against the work and conduct of the petitioner. On 04.08.2020, petitioner was allocated the contract for repair of official house of Sub Divisional Magistrate, Mansa. Petitioner

has successfully completed the work assignment within the time prescribed. On 12.03.2021, the work has been executed by the petitioner according to the specifications in the contract and to the entire satisfaction of the department. After completion of the work, the site was inspected by the Sub Divisional Engineer, Provincial Sub-Division No.1, Public Works Department (B&R), Mansa and found that the work was done by the petitioner according to the specifications. Final bill was prepared on 12.03.2021 in a sum of Rs.4,17,539/- as a token of certification of work done. The said amount has not been paid to the petitioner till date, despite a representation dated 05.08.2021 filed by the petitioner before respondent No.3.

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 note of the pending representation 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.

01.12.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE