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

CWP No. 25112 of 2021
Date of Decision: 10.12.2021

M/s Gurinder 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)

Petitioner has preferred this petition under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to pay the balance amount qua the work done by the petitioner along with interest.

Petitioner is a government contractor and has executed various work assignments assigned to it by the respondents from time to time. The petitioner has successfully completed the work assignment of construction of Lift Schemes, Water Course and Reconditioning of drain which was allocated to him in the year 2015-16. After completing the work, defect

liability period of the said work has also expired in the year 2017-18, but the balance payment has not been released to the petitioner so far. Even respondent No.5 has authenticated the claim of the petitioner by sending a letter to respondent No.4 and has also requested for payment to the petitioner on receipt of funds, but of no avail.

Petitioner has already represented to the respondents by way of numerous representations.

Notice of motion.

On the asking of the Court, Ms. Sunint Kaur, A.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.5 to take an appropriate decision on 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.5 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.

10.12.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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