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

CWP No. 26397 of 2021

Date of Decision: 22.12.2021

M/s Sha Construction Company

-Petitioner

Versus

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. P.K.S. Phoolka, 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 respondent No.2 to release payment towards the security deposited in respect of work done by the petitioner.

Learned counsel for the petitioner submits that petitioner is a Class government contractor and has executed work assignment allocated to it on 28.01.2019. The completion of work was on time. The security period of 06 months has already been passed. Despite completion of work, the respondents have not released the security amount which is required to be refunded on completion of work.

Precisely for the grievance in question, the petitioner

has moved representation before respondent No.3 on 22.02.2021, but the same has not been adverted to till date.

Notice of motion.

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

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.3 to take note of representation of the petitioner and decide the same in accordance with law preferably within a period of two weeks from the date of receipt of certified copy of this order.

If respondent No.3 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.

22.12.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE