

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

CWP No. 25645 of 2021
Date of Decision: 16.12.2021

Gian Singh Contractor

-Petitioner

Versus

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 issuance of an appropriate writ in the nature of mandamus directing the respondents to make payment of balance amount of Rs.58,59,249/- qua the work done by the petitioner along with interest.

Petitioner is a government contractor and has executed various work assignments assigned to him by the respondents from time to time. The work assignments allotted to the petitioner were duly completed within the time prescribed, but payments thereof have not been released so far. The dues have not been released to the petitioner on the ground of non-availability of funds. There is no dispute with regard to any fault in the execution of the work.

Precisely for the claim in question, the petitioner has already filed legal notice/representation dated 12.11.2021 before

respondent No.4, but the claim of the petitioner has not been 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.

16.12.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE