

(Through video conferencing)**CWP-26027-2021****Date of Decision: 20.12.2021****KAMAL CONSTRUCTION COMPANY****.....Petitioner****Vs****STATE OF PUNJAB AND OTHERS****.....Respondents****CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH***

Present: Ms. Sheena Kamboj, Advocate for
Mr. Dheeraj Mahajan, Advocate
for the petitioner.

**********RAJ MOHAN SINGH, J.(Oral)**

Petitioner has preferred this writ petition for the issuance of an appropriate order or direction, specially in the nature of mandamus, directing the respondents to release the security amount of Rs.10,93,412/- along with interest.

The petitioner has successfully executed different work assignments to the satisfaction of the respondent-authorities. Final payment of the aforesaid work assignments has been released to the petitioner in the year 2017-18 but security amount on execution of work has not been refunded along with VAT amount. The petitioner has already represented before respondent No.4 by way of representation dated 05.08.2021 and the same is still pending.

Notice of motion.

On asking of the Court, Mr. T.P.S. Chawla, DAG, Punjab

accepts notice on behalf of the respondents.

At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied in case necessary directions are issued to respondent No.4 to decide the representation within a stipulated period.

In view of nature of order which this Court proposes to pass at this stage, there is no necessity of calling upon response from the respondent(s), as no order prejudicial to the interest of the parties is being passed.

In view of above, this petition is disposed of by directing respondent No.4 to take notice of the representation dated 05.08.2021 moved by the petitioner-firm and decide the same within a period of one month from the date of receipt of certified copy of this order. In case, respondent No.4 ultimately comes to the conclusion that the petitioner-firm is entitled for the amount in question, then the same be paid forthwith within a further period of one month.

In case, the amount is still not paid, then the petitioner would be entitled to the interest @6% per annum for the delayed payment from the date the amount became due till final realization of the same.

December 20, 2021
nisha-ll

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No