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

CWP No. 26462 of 2021

Date of Decision: 22.12.2021

M/s Sohan Lal Ramesh Kumar

-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 for the issuance of an appropriate writ in the nature of mandamus directing the respondents to pay an amount of Rs.3,13,163/- (i.e. security and bank guarantee) qua the work done by the petitioner.

Petitioner is a government contractor and has executed various work assignments assigned to it by the respondents from time to time. The work of providing fire fighting and sprinkler system at Auditorium Block at State Institute of Nursing and Para Medical Sciences at Badal was allocated to the petitioner. Petitioner has successfully completed the work assigned to it. Payment qua bills has

already been made. Only security amount and bank guarantee are to be released in favour of the petitioner.

Precisely for the claim in question, the petitioner has already approached the respondents by way of filing representation dated 12.03.2021 before respondent No.4, but the claim of the petitioner is not 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 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.

22.12.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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