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

CWP No. 26322 of 2021

Date of Decision: 22.12.2021

M/s A.K. Gupta Constructions Pvt. Ltd.

-Petitioner

Versus

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Ms. Pratula Sethi, 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 the respondents to release the amount of final bill of Rs.14,55,487/- to the petitioner along with interest.

Petitioner is a private limited company and is involved in the business of construction of projects of national importance. The project of construction of College Bhawan and Extension of Student Holiday Home Building in campus of Punjab University was allocated to the petitioner. The petitioner has already completed the work assignment in time to the satisfaction of all concerned. The work was executed as per specifications. Petitioner has raised the final bill of

Rs.14,55,487/- and the same was sent to respondent No.4 on 06.05.2015, but the bill has not been cleared so far. Needful has not been done despite numerous representations.

Learned counsel for the petitioner places reliance upon legal notice dated 29.05.2020 as well as notice dated 16.07.2021 in this regard.

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 respondents No.4 and 5 to take note of legal notice/claim of 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 respondents No.4 and 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.

Needless to say that nothing observed hereinabove shall be construed to be an expression on the merits of the case.

22.12.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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