

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

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**CWP-803-2022 (O&M)
Date of Decision:-01.02.2022**

Vijay Kumar Kansal

...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)

The case has been taken up for hearing through video-conferencing.

Petitioner has preferred this petition for issuance of an appropriate writ in the nature of mandamus, directing the respondents to release the payment of Rs.7,70,199/- qua the work of Augmentation of WS Scheme done along with interest.

Petitioner is a government contractor and has executed various works assignments assigned to him by the respondents from time to time. The work of augmentation of WS

Scheme was allocated to the petitioner on 16.03.2016. Petitioner has successfully completed the same upto 08.04.2018, but 6th and final bill along with security amount has not been released to the petitioner till date. Earlier, the petitioner filed a petition bearing CWP No.22684 of 2019 which was disposed of vide order dated 27.08.2019 with a direction to the respondents to take final decision on the legal notice got issued by the petitioner. Thereafter, the claim of the petitioner was rejected by respondent No.5, when the petitioner invoked the contempt jurisdiction of the High Court. The aforesaid rejection was done on the ground that the petitioner had not supplied the details of accounts of total claim made by him. Thereafter, the petitioner supplied the requisite information vide communication dated 15.01.2021 and thereafter, claim of the petitioner was appreciated by respondent No.5 and the same was sent to respondent No.6 for payment, but till date, needful in that context has not been done by respondent No.6. Thereafter, petitioner also got issued a legal notice dated 20.09.2021.

Notice of motion.

On the asking of the Court, Mr. T.P.S. Chawla, D.A.G., Punjab accepts notice on behalf of respondents No.1 to 5.

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.

Since, respondent No.5 has already recommended the case of the petitioner to respondent No.6, therefore, at this stage, without meaning anything on the merits of the case, it would be just and appropriate to direct respondent No.6 to consider the claim of the petitioner in accordance with law. If the petitioner is found entitled to his claim, then the amount be paid within a period of two weeks thereafter.

The petition stands disposed of.

01.02.2022

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**(Raj Mohan Singh)
Judge**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No