

CWP No.1066 of 2022(O&M)

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

CWP No.1066 of 2022(O&M)

Date of Decision:02.02.2022

Sukhwinder Singh

.....Petitioner

Vs

State of Punjab and others

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. R.K. Girdhar, Advocate
for the petitioner.

(Proceedings through video conferencing)

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 release the due payment of Rs.15,50,686/- qua the work executed by the petitioner along with interest.

Petitioner is a Government Contractor and had executed various work assignments allocated to him by the respondents from time to time. On 10.12.2019, certain works were allocated to the petitioner and the same were duly completed by the petitioner to the satisfaction of the

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respondents/Department. Till date, payments of the work done have not been released to the petitioner despite execution of work and expiry of default period liability. Even bills have also been passed by the Department, but the payment has not been released by the Department on account of non-availability of funds. Petitioner had already approached the respondents with numerous representations including legal notice dated 10.12.2021.

Learned counsel for the petitioner submits that the petitioner would be satisfied in case, his legal notice addressed to respondent No.5 be directed to be decided within a specified period in accordance with law.

Notice of motion.

On the asking of the Court, Mr. TPS Chawla, DAG, Punjab accepts notice on behalf of the State.

This writ petition is disposed of with a direction to respondent No.5 to take notice of legal notice dated 10.12.2021 got issued by the petitioner and decide the same within a period of 2 months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled for the amount in question, the same be released forthwith. Thereafter, the delay, if any, done by respondent No.5 would entail in grant of interest @ 6% per annum for delayed payment from the date of accrual

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till final realisation of the amount.

Disposed of.

02.02.2022

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**(RAJ MOHAN SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**