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

CWP No. 2212 of 2022
Date of Decision: 21.02.2022

M/s Pacific Engineers @ Builders

-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)

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

Petitioner has preferred this petition for issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to pay balance security amount and bank guarantee qua the work done by the petitioner.

Petitioner is a government contractor. The construction work of fish market at village Ghalori MC Patiala, District Patiala was assigned to the petitioner. Petitioner has successfully completed the work in time. Defect liability period has already been expired.

For the claim in respect of balance amount, the petitioner has already got issued legal notice on 16.02.2021 but the same has not been decided so far.

Notice of motion.

On the asking of the Court, Mr. Charanpreet Singh, A.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 legal notice 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.

21.02.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE