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

CWP No. 2360 of 2022
Date of Decision: 24.02.2022

Narender Mann

-Petitioner

Versus

State of Haryana and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sukhdeep Singh, Advocate, for
Mr. Parminder Singh, 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 pay an amount of Rs.20,82,701/- and security amount along with interest @ 18% qua the work done by the petitioner.

Petitioner is a contractor and has executed various work assignments assigned to him by the respondents from time to time. The work of contract of repair and laying metaled roads was assigned to the petitioner. Work assignment was

given to the petitioner for carrying out special repair of 30mm thick bitumen concrete of internal road and parking area of Karnal lake Tourism Complex on 06.01.2020. Petitioner carry out the work to the satisfaction of the Department and also submitted the bill of the estimated work. Final bill was prepared by the Department thereby entitling the petitioner for Rs.20,82,701/- on 19.12.2020 and the same was also verified by the Executive Engineer on 13.02.2021.

Precisely for the claim in question, the petitioner has already approached the respondents by way of filing representation before respondent No.2, but the claim of the petitioner is not answered so far.

Notice of motion.

On the asking of the Court, Mr. Vivek Chauhan, Addl. A.G., Haryana accepts notice on behalf of the respondents and submits that out of the outstanding amount, an amount of Rs.18,48,749/- has already been paid to the petitioner on 30.09.2020.

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.2 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.2 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.

24.02.2022

Jyoti Sharma

**(RAJ MOHAN SINGH)
JUDGE**

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