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

CWP No. 2621 of 2022
Date of Decision: 14.03.2022

M/s Sharma Contractor Pvt. Ltd.

-Petitioner

Versus

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Dheeraj Mahajan, Advocate,
for the petitioner.

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 payment of Rs.65.56 lacs along with interest qua the work done by the petitioner.

On 31.12.2013, petitioner was issued an allotment letter after its participation in tender process and after finding the petitioner to be the lowest tenderer. The work was allotted including the maintenance work for 05 years. After completion of work, the same was acknowledged by the respondents.

After inspection, the bills were sought to be approved, but till date, the claim of the petitioner has not been satisfied despite a legal notice got issued by the petitioner on

16.12.2021.

At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied in case its legal notice is directed to be decided by Executive Engineer, Central Works, Division No.2, PWD B&R, Amritsar by passing a speaking order in accordance with law.

Notice of motion.

On the asking of the Court, Mr. Kannan Malik, 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 any 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.5 to take effective steps for procuring necessary funds from respondents No.2 and 3 and decide legal notice of the petitioner at the earliest in accordance with law.

It would be appreciated in case the legal notice of the petitioner is decided within one month from the date of receipt of certified copy of this order.

In case, claim of the petitioner is found to be in order, then necessary steps be made to pay the dues of the petitioner forthwith. If the claim is found to be not justified, then the legal

notice be decided thereafter and a copy thereof be supplied to the petitioner within a reasonable time.

In case, the amount in question is not paid forthwith, then the petitioner shall be entitled to interest @ 6% per annum for the delayed payment till final realization of the amount.

14.03.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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