

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr.No.124

Case No. : C.W.P. No.3757 of 2022

Date of Decision : February 25, 2022

M/s NKC Constructions Pvt. Ltd. Petitioner

VS.

State of Punjab and others Respondents

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

* * *

Present : Mr. Chirag Girdhar, Advocate
for the petitioner.

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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.76,25,000/- qua the
work executed by the petitioner, along with interest.

The petitioner is a Government Contractor and was
allocated the work of special repair of Machhiwara to Chak
Lohat (ODR-34) (length 17.75 kms) under Head 3054 RB-10,
including three years' maintenance (one year defect liability

period and two years maintenance of road). The petitioner has successfully completed the work assignment to the satisfaction of the department. Payment of six running bills has been released to the petitioner but payments of 7th running bill and 8th final bill have not been released so far. The petitioner has also approached respondent no.5 by way of legal notice dated 20.01.2022.

At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied in case his legal notice dated 20.01.2022 is ordered to be decided in accordance with law within the specified period.

Notice of motion.

On the asking of the Court, Mr. Charanpreet Singh, AAG, 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.5 to take an appropriate decision on pending legal notice dated 20.01.2022, 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.5 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.

February 25, 2022
monika

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No