

118

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

CWP No. 3978 of 2022
Date of Decision: 02.03.2022

Balraj Singh

-Petitioner

Versus

The State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Chirag Girdhar, 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.77,00,000/- along with interest qua the work done by the petitioner.

Petitioner is a government contractor and has executed various work assignments assigned to him from time to time. The work of reconstruction of Mehta Minor was allocated to the petitioner. Petitioner has successfully completed the work on 31.12.2020 to the entire satisfaction of the competent authority. After completion of the work, the dimensions of the work have been verified by the competent authority and bills have already been passed certifying the

execution of work as per specifications. Needful in the context of making good the aforesaid payment has not been done.

Precisely for the claim in question, the petitioner has already approached the respondents by way of filing legal notice dated 31.01.2022 before respondent No.4, but the claim of the petitioner has not been answered so far.

At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied in case his legal notice is directed to be decided by the respondents within a specified period.

Notice of motion.

On the asking of the Court, Mr. Tarun Vir Singh Lehal, Addl. 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.

02.03.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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