

**132**

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

CWP No.4800 of 2022(O&M)

Date of Decision: 10.03.2022

Sunil Kumar Contractor

-Petitioner

Versus

State of Haryana 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 the issuance of an appropriate writ in the nature of mandamus, directing the respondents to make the due payment of Rs.27,12,957/- qua the work done along with interest.

Petitioner is a Government Contractor. Petitioner was allocated the work of Lining/Laying of Water Course RD 1487-R, Bani Disty, under BCC-II Project (SCO 2<sup>nd</sup> Extension). Petitioner has successfully completed the work assignment on 30.08.2021. The first running bill has already been passed by the respondents on 16.08.2021, but its payment has not been released so far. Petitioner has served number of

representations to the respondents including the legal notice to respondent No.5 calling upon respondent No.5 to release the necessary payment. Owing to in-action on behalf of respondent No.5, present petition has been filed with the prayer aforesaid.

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

Notice of motion.

On the asking of the Court, Mr. Vivek Chauhan, Addl.,.A.G., Haryana accepts notice on behalf of the State.

In view of nature of relief sought, there is no need to call upon any formal response from the respondents.

This writ petition is disposed of by directing respondent No.5 to take notice of pending representation/legal notice dated 29.11.2021 and decide the same in accordance with law within a period of one month from the date of receipt of certified copy of this order. In case, the claim of the petitioner is found to be worth acceptance, the same shall be implemented in the context of making payment of due amount forthwith. In case of any delay, the petitioner shall be entitled to interest @ 6% per annum for the delayed payment from the date of accrual of cause of action till final realisation of the amount.

If respondent No.5 ultimately finds that the claim of the petitioner is not acceptable, then representation/legal notice be decided by passing a speaking order and the same be communicated to the petitioner within a reasonable time.

Disposed of.

10.03.2022

Prince

(RAJ MOHAN SINGH)

JUDGE

Whether Speaking

Whether Reportable

Yes/No

Yes/No