

136

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

CWP No.4810 of 2022(O&M)

Date of Decision: 10.03.2022

Prem Pal Bathla Contractor

-Petitioner

Versus

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 the issuance of an appropriate writ in the nature of mandamus, directing the respondents to make the due payment of Rs.2,73,08,390/- qua the work of Improvement of Road Safety through Improvement of Junction No.NH-10 and NH-15 at km 348.550 at Malout along with interest.

Petitioner was allocated the aforesaid assignment of work on 17.09.2018. The time period for execution of work was extended upto 22.02.2021. The work was completed within a stipulated extended time. The extension of time was

recommended by respondents No.4 and 5. Due payment has not been released to the petitioner so far.

Precisely, for the grievance in question, petitioner has already submitted bills of bitumen and other requisite documents to respondent No.5 when the same were asked for. Petitioner again submitted his requisite documents including photocopies of invoices and even got issued legal notice dated 12.02.2022. The claim of the petitioner has not been adverted to so far.

At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied in case, legal notice dated 12.02.2022 is directed to be decided by respondent No.5 in accordance with law within a reasonable time.

Notice of motion.

On the asking of the Court, Mr. Nikhil Chopra Addl.,A.G., Punjab 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 12.02.2022 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