

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

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**CWP-5006-2020**  
**Date of Decision: 29.09.2022**

**M/S P.K. VERMA AND COMPANY**

... Petitioner

**VERSUS**

**PUNJAB MANDI BOARD, PUNJAB AND OTHERS**

... Respondents

**CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.**

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Present: Mr. B.S. Jaiswal, Advocate  
for the petitioner.

Ms. Deepika Bansal, Advocate for  
Mr. Sumit Jain, Advocate  
for respondents.

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**VINOD S. BHARDWAJ, J. (ORAL)**

The instant petition has been instituted under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of Mandamus directing the respondents to pay interest on account of delay in disbursement of the payment qua works executed by the petitioner.

Learned counsel for the petitioner contends that the petitioner had executed various works assigned to it from time to time and there had never been any complaint against the due and proper execution of the works. The bill regarding satisfactory execution of the work was duly approved by the competent authority and the payment in that regard was released, however, the interest on account of delay in disbursement of payment was not released. The petitioner approached the respondent authorities on a

number of occasions for disbursement of the outstanding interest on the delayed payment and even a legal notice was also got served upon the respondent authority, but all in vain. Consequently, the petitioner was constrained to file a CWP-19476 of 2017, which was disposed of on 25.04.2018 with a direction to the respondents to decide the representation within a period of one month and in case any amount is found payable, then to release the same in favour of the petitioner. The said order, however, was not complied with by the respondents compelling the petitioner to file COCP No.126 of 2019. In the said COCP, the respondents appeared and contested the COCP. However, the claim qua payment of interest on delayed payment has been rejected by the respondents. The present petitioner thus seeks the release of interest on account of delay in disbursement of the due payment.

Learned counsel for the petitioner(s), however, fairly submit that the petitioner(s) are willing to withdraw the present petition enabling them to avail alternative efficacious remedy of approaching the Civil Court for seeking the aforesaid relief since various judgments of the High Court have held the petitioners (in the concerned petitions) to be entitled for interest in the cases where there is an inexplicable delay in release of the due payment. The petitioner(s) also seek liberty to raise all such pleas before the Civil Court and/or any other competent Forum/Authority in appropriate proceedings and at appropriate stage.

Notice of motion.

Ms. Deepika Bansal, Advocate for Mr. Sumit Jain, Advocate appears and accepts notice on behalf of respondents.

The aforesaid prayer is not opposed by the learned counsel for the respondents.

Accordingly, without commenting anything on the merits of the case, the present petition is disposed of as withdrawn with the liberty as aforesaid.

SEPTEMBER 29, 2022  
*Vishal Sharma*

(VINOD S. BHARDWAJ)  
JUDGE

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