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

CWP No. 4887 of 2022
Date of Decision: 15.03.2022

M/s Vishvas Construction Company

-Petitioner

Versus

The State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R.K. Girdhar, Advocate,
for the petitioner.

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 make the due payment of Rs.83,37,376/- along with interest qua the work done by the petitioner.

Petitioner is a government contractor. The work of construction of 4 Lanning of Sunam-Lehragaga-Jakhal road MDR-21 RD 2.130 to 3.380 Kms under Head NABARD-XXV scheme was allocated to the petitioner on 03.03.2021. The work started within the time prescribed. Payments of first and second running bills were released in favour of the petitioner, but

payment of third running bill has not been released so far. Petitioner has also raised demand for release of third running bill.

Precisely for the claim in question, the petitioner has already approached the respondents by way of filing legal notice dated 12.02.2022 before respondent No.5, but the claim of the petitioner is not answered so far.

At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied in case its legal notice is directed to be decided by respondent No.5 by passing a speaking order in accordance with law.

Notice of motion.

On the asking of the Court, Mr. Sehajbir Singh, D.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 any response from the respondents at this stage, as no order prejudicial to the interest of any party is being passed.

This writ petition is disposed of with a direction to respondent No.5 to take note of legal notice dated 12.02.2022 got issued by the petitioner and pass appropriate order in accordance with law.

If the entitlement of the petitioner is established with reference to record, then the due payment of third running bill be released to the petitioner forthwith. Any delay in disbursing the payment of third bill shall result in imposition of interest @ 6% per annum for the delayed payment from the date of accrual till final realization of the same.

If the entitlement of the petitioner is not found, then the legal notice be decided by passing a speaking order and the same be communicated to the petitioner within a reasonable time.

15.03.2022

Jyoti Sharma

**(RAJ MOHAN SINGH)
JUDGE**

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