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

CWP No.5596 of 2022(O&M)

Date of Decision: 21.03.2022

Rajan Contractor

-Petitioner

Versus

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

(Proceedings through Video Conferencing)

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 balance payment of Rs.55,26,885/- qua the work of construction of swimming pool in Shaheed Bhagat Singh Technical Campus at Ferozepur done by the petitioner along with interest.

Petitioner being a Government Contractor was assigned the aforesaid work of construction on 22.12.2017. Petitioner successfully completed the same on 19.04.2021. The aforesaid amount is still to be paid to the petitioner, for which

the technical approval of revised detailed estimate of work had already been sent to respondent No.5. Even respondent No.6 has also sent a letter to respondent No.3 and requested him to take over the building so that payment of final bill can be released in favour of the petitioner. The aforesaid communication was made on 21.06.2021, but still the needful in the context of releasing the payment has not been done. Petitioner has already sent various representations to respondent No.6 including legal notice dated 25.02.2022.

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, Ms. Ambika Bedi, AAG, 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.6 to take notice of pending representation/legal notice dated 25.02.2022 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.6 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.

21.03.2022
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether Speaking
Whether Reportable

Yes/No
Yes/No