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

CWP No. 6591 of 2022
Date of Decision: 30.03.2022

Sunil Chawla

-Petitioner

Versus

The 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 issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to release balance payment of Rs.9,14,123/- along with interest qua the work done by the petitioner.

Petitioner is a government contractor and has executed various work assignments assigned to him by the respondents from time to time. The work of construction of Individual Household Latrines at various places in Rural area of M.C. Ferozepur City, District Ferozepur under RDO (D1) Scheme was allocated to the petitioner. Petitioner has successfully completed the work assignment, but the balance

payment of the petitioner has not been released despite the bills having been passed by the respondents. Defect liability period has also expired.

Precisely for the claim in question, the petitioner has already approached the respondents by way of filing numerous representations including legal notice dated 28.02.2022 before respondent No.4.

At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied in case his representation including legal notice is directed to be decided by respondent No.4 by passing a speaking order in accordance with law.

Notice of motion.

On the asking of the Court, Ms. Simaran Gerewal, A.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.4 to take note of representation including legal notice dated 28.02.2022 got issued by the petitioner and pass appropriate order in accordance with law, preferably within a

period of one month from the date of receipt of certified copy of this order.

If the entitlement of the petitioner is established with reference to record, then the payment be released to the petitioner forthwith. Any delay in disbursing the payment 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 representation be decided by passing a speaking order and the same be communicated to the petitioner within a reasonable time.

30.03.2022

Jyoti Sharma

**(RAJ MOHAN SINGH)
JUDGE**

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