

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

CWP-7888-2022

Date of decision : April 20, 2022

M/s Makhan Lal Govt. Contractor 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)

Petitioner being a Government Contractor has approached this Court for the issuance of an appropriate writ in the nature of mandamus, directing the respondents to pay an amount of Rs.18,23,080/- including security qua the works of construction of different roads at Bareta done by the petitioner along with interest.

The aforesaid works of construction of different roads at Bareta were allotted to the petitioner on 04.10.2019. The works were duly executed but the balance payment and security of these works have not been released to the petitioner till date. The bills of these works were duly passed despite that the payments were not released. There is no dispute with regard to execution of works and their quality. Precisely for the grievance in question, petitioner has filed a

number of representations to respondent nos.2 and 3 and also raised a demand for releasing the due payments along with security.

Respondent no.3 has also recommended the case of the petitioner by sending a letter to respondent no.2, thereby admitting the execution of works on satisfactory note still the payments have not been released to the petitioners. At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied in case his representation dated 29.09.2010 is directed to be decided by respondent no.3 in accordance with law at the earliest.

Notice of motion.

On the asking of the Court, Mr. C.L. Panwar, Sr. DAG, Punjab accepts notice on behalf of the respondents.

In view of the 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.3 to take a note of representation dated 29.09.2010 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.

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.

(RAJ MOHAN SINGH)
JUDGE

April 20, 2022

sarita
Whether speaking / reasoned
Whether Reportable:

Yes / No
Yes / No