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

CWP No. 8479 of 2022
Date of Decision: 26.04.2022

M/s Sushil Kumar Contractor

-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 the issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the official respondents to release the outstanding amount of Rs.1,23,21,040/- to the petitioner along with interest.

Petitioner is a government contractor and has executed various work assignments assigned to it by the respondents from time to time. The works of setting up of PGIMER Satellite Center at Ferozepur, Punjab-Construction of Boundary wall, Office Block, Security Check Post, Toilet Block and Internal Roads were allocated to the petitioner on 12.11.2020. The work has been successfully completed by the

petitioner. The work has been duly recorded in the measurement book. The work has been executed to the entire satisfaction of the concerned Department, but the due payment has not been released to the petitioner till date.

Precisely for the claim in question, the petitioner has already approached the respondents by way of filing representations before respondent No.5 on 03.02.2022 and 17.02.2022, but the claim of the petitioner has not been answered so far.

Notice of motion.

On the asking of the Court, Mr. C.L. Pawar, Sr. 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 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 pending representations dated 03.02.2022 and 17.02.2022 filed by the petitioner and pass appropriate order in accordance with law, preferably within a period of two months 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.

26.04.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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