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

CWP No. 8835 of 2022
Date of Decision: 28.04.2022

M/s NKC Constructions Pvt. Ltd.

-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 has preferred this petition for the issuance of an appropriate writ in the nature of mandamus directing the official respondents to release the outstanding amount of Rs.80,84,034/- to the petitioner qua the work done 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 work of construction of Bituminous concrete roads of GLADA Estate (80:20 Scheme) village Daad, Pakhowal Road, Ludhiana including all works retaining to civil, electrical, public health and horticulture works was allocated to the petitioner on 10.12.2019. 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 representation dated 11.01.2022 before respondent No.4 including legal notice dated 07.03.2022, 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 representation dated 11.01.2022 including legal notice dated 07.03.2022 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.

28.04.2022

Jyoti Sharma

**(RAJ MOHAN SINGH)
JUDGE**

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