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

CWP No.8899 of 2022

Date of Decision: 29.04.2022

M/S A.G CONSTRUCTION

.....Petitioner

Vs

STATE OF PUNJAB AND OTHERS

.....Respondent

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 due payment of 3rd running bill amounting to Rs.89,23,313/- qua the work done by the petitioner along with interest.

Petitioner is a Government Contractor dealing in works of construction. On 07.08.2019, the work of beautification of interconnecting roads of Gurudwara Sri Keshgarh Sahib, Sri Bhora Sahib and Sri Fatehgarh Sahib Footpath, Benches, Stone Cladding, Illumination, Signages etc at Sri Anandpur Sahib was allotted to the petitioner. The work was undertaken by the

petitioner as per specifications of the department and payment of 1st and 2nd running bill were released to the petitioner, but the payment of 3rd running bill amounting to Rs.89,23,313/- has not been released so far despite the same has already been passed and the entries of 3rd running bill have been made in the Measurement Book certifying that the petitioner has executed the work as per specifications.

Precisely for the claim in question, the petitioner has already approached the respondents by way of filing a representation dated 25.02.2022 before respondent No.3 but the same has not been adhered to so far.

At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied in case its representation including legal notice is directed to be decided by respondent No.3 by passing a speaking order in accordance with law.

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 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 note of representation dated 25.02.2022 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.

April 29, 2022	(RAJ MOHAN SINGH)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No