

**206-b IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-36008-2019

Date of decision : April 21, 2022

M/s Bindra Developers Pvt. Ltd. Petitioner

Versus

The Punjab Mandi Board and others Respondent

CORAM : HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr. R.K. Girdhar, Advocate for the petitioner.

Ms. Akanksha, AAG, Punjab.

Mr. T.S. Sidhu, Advocat for respondent nos.2 to 4.

RAJ MOHAN SINGH J. (ORAL)

Petitioner has preferred this writ petition for issuance of a writ in the nature of mandamus, directing the respondents to pay interest on the delayed payment of work of up-gradation of L/Road from NH-05 (Ludhiana-Ferozepur Road) to SH-15 (Ferozepur to Faridkot Road) via Piareane, Mana Singh Wala, Sappanwali, (Package PB05-09) under PMGSY-II (Batch-I), Black Ghall Khurd, District Ferozepur, executed by the petitioner.

Learned counsel for the petitioner submits that the aforesaid work assignments were allotted to the petitioner. The final bill was passed on 22.10.2018 but its payment was released after 155 days. The petitioner has tabulated instances of delay in respect of different bills. First running bill was passed on 01.09.2016 in the bill amount of

Rs.66,02,576/-. The payment of the aforesaid bill was delayed by 58 days. Similarly, second running bill was passed on 24.01.2017 in the bill amount of Rs.73,18,800/- and the payment was released after 407 days. The third running bill was passed on 12.03.2017 in a sum of Rs.57,53,000/- and the payment was released after 369 days. The fourth running bill was passed on 27.06.2017 in a sum of Rs.64,47,000/- and the payment was released after 273 days. The fifth bill was passed on 15.05.2018 in a sum of Rs.47,49,000/- and the payment was released after 65 days. The sixth and the final bill was passed on 22.10.2018 in a sum of Rs.35,32,716/- and the payment of the said bill was released with a delay of 155 days. The petitioner has tabulated the aforesaid information to which there is no specific denial except to allege that delay has occasioned due to non-refunding of the amount by respondent no.3. However, intra departmental latches and omissions cannot be attributed to the petitioner. The petitioner is entitled to the interest on the delayed payment.

In the instant case, interest @ 6% per annum on the delayed payment would suffice to serve the ends of justice. The petitioner is entitled to the aforesaid interest from the date of passing of the bills till the final realization of the amount.

Respondent no.3 shall do the needful in the
aforesaid context within two months from the date of receipt of
certified copy of this order.

(RAJ MOHAN SINGH)
JUDGE

April 21, 2022

sarita
Whether speaking / reasoned
Whether Reportable:

Yes / No
Yes / No