

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

**CWP No.16942 of 2021(O&M)
Date of Decision: 28.02.2022**

**M/S BHUSHAN CHHURA AND CO.Petitioner
Vs
STATE OF PUNJAB AND ORSRespondents**

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

Ms. Anju Sharma Kaushik, DAG, Punjab.

Mr. TVS Lehal, Advocate
for respondents No.3 and 4.

(Proceedings through Hybrid Mode)

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 pay the due amount of Rs.95,40,000/- including security for the work done along with interest.

Petitioner-Company is a Government Contractor. On 20.04.2016, works of construction of 120 ft. road RD No.0.00 to 2100 and RD No.2100 to 3700 in Surya Enclave Extension, Jalandhar were allotted to the petitioner. Petitioner has already completed the aforesaid assignments to the satisfaction of the respondents. The bills of the aforesaid works have been passed and the balance payment along with security has not been released so far. Petitioner

has already got issued representations dated 16.04.2021 and 15.07.2021 before respondent No.4, but the needful in the context of balance payment and security has not been done so far.

In view of aforesaid factual position, I deem it appropriate to decide this petition as formal stand on behalf of the respondents is not needed as no order prejudicial to the interest of the parties is being passed.

This petition is disposed of with a direction to respondent No.4 to take an appropriate decision on pending representations dated 16.04.2021 and 15.07.2021 filed by the petitioner and decide the same in accordance with law, preferably within a period of one month from the date of receipt of certified copy of this order.

If respondent No.4 ultimately comes to the conclusion that the petitioner is entitled for the amount in question, the same be paid forthwith within a further period of one month. In case, the amount in question is not paid within the aforesaid period of one month, the petitioner shall be entitled to interest @ 6% per annum for the delayed payment thereafter till final realisation of the amount.

28.02.2022

Prince

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No