

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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COCp-1542-2022

Date of decision: 22.08.2022

M/S S.K. CONSTRUCTION COMPANY

..Petitioner

Versus

AJOY KUMAR SINHA, IAS AND ORS.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Mr. Sandeep Chopra, DAG, Punjab.

ANIL KSHETARPAL, J(Oral)

Complaining wilful violation of the directions issued in CWP No.12855 of 2022, decided on 02.06.2022, the petitioner has filed the present petition under the Contempt of Courts Act, 1971. The operative part of the order dated 02.06.2022, reads as under:-

“Grievance of the petitioner is that despite completion of work successfully, payment of 7th and final bill has not been released to the petitioner. Even defect liability period has also expired on 30.03.2019.

Claim of the petitioner has also been endorsed by respondent No.5 by asking administrative approval from respondents No.4 and 6 and the said approval has also been granted by respondent No.6 on 07.01.2022, but despite that, payment has not been released so far.

Petitioner has already represented before respondent No.5 on 12.04.2022, but the same remain unattended by the said authority.

Learned counsel for the petitioner submits that at this stage, the petitioner would be satisfied in case its representation is directed to be decided by respondent No.5 by passing a speaking order in accordance with law at the earliest.

Notice of motion.

On the asking of the Court, Ms. Aakanksha, A.A.G., Punjab accepts notice on behalf of the respondents.

This writ petition is disposed of with a direction to respondent No.5 to consider the pending representation dated 12.04.2022 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 claim of the petitioner is established with reference to record, then the payment be released to the petitioner forthwith.

If the claim of the petitioner is found to be not sustainable, then a copy of decision be supplied to the petitioner at the earliest.”

Sh. Sandeep Chopra, Deputy Advocate General, Punjab, has produced a copy of the order passed on 05.08.2022 in deference to the order passed by the High Court with a copy to the learned counsel representing the petitioner.

In view thereof, no further order is required to be passed.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

August 22nd, 2022

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**(ANIL KSHETARPAL)
JUDGE**

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