

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

116

CWP-17769-2022

Date of decision: 16.08.2022

PREM KUMAR CONTRACTOR

.....Petitioner

VERSUS

THE STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Rajesh Kumar Girdhar, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

The instant Civil Writ Petition has been filed under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of Mandamus to direct the respondents to make due payment of Rs. 8,33,293/- qua the work of installing Relocatable Toilets, Mobile Toilets and Urinal Sets during the Annual Shaheedi Sabha at Fatehgarh Sahib for the year 2020 (Part-2) executed by the petitioner, alongwith interest @ 12 per cent per annum.

Learned counsel appearing on behalf of the petitioner contends that the petitioner had executed various works assigned to him by the respondent Department to the complete satisfaction of the area Incharge. The work of installing relocatable toilets, mobile toilets and urinal sets during the Annual Shaheedi Sabha at Fatehgarh Sahib for the year 2020 (Part-II) was allotted to the petitioner on 24.12.2020 vide E.E. No. 8218 dated 24.12.2020. He contends that the petitioner successfully completed the work on 31.12.2020, however, the payment of Rs. 8,33,293/- has not been released to him even though there is no

complaint regarding the execution of the work, its workmanship or the payment of the amount itself. The first and final bill for the due amount has also been approved by the competent authority on 07.05.2021, however, despite lapse of more than a year since approval of the final bill, payment has not been released. It is contended that even though originally the Letter of Intent was issued for execution of the work at the project cost of Rs. 4,92,650/-, however, the scope of the work was enhanced and the case was thereafter approved for Rs. 8,47,921/-. The said approval also stands granted by the competent authority vide letter No. 4116 dated 10.05.2021. He contends that a representation/legal notice has already been sent by the petitioner to the respondents and that he would be satisfied in case the said respondents are directed to decide upon the same in a time bound manner.

Notice of motion.

Ms. Sunint Kaur, Asstt. Advocate General Punjab has no objection to the prayer being accepted.

In view of the above, the present petition is disposed of with a direction to the respondent authorities to decide on the legal notice/representation dated 02.06.2022 (Annexure P-3) within a period of 10 weeks from date of receipt of certified copy of this order.

Needless to mention that nothing stated in this order should be construed as an expression on merits of the claim raised by the petitioner and the authorities shall be free to take independent decision thereupon.

Needless to mention that in case the amount is found due and payable to the petitioner, the competent authority shall take

expeditious steps to ensure release of the undisputed amount.

(VINOD S. BHARDWAJ)
JUDGE

AUGUST 16, 2022

Vishal sharma

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