

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

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CWP-17952-2022
Date of Decision: 17.08.2022

Karnail Singh Govt. 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.

Ms. Sunint Kaur, Asstt. A.G., Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to release the due payment of Rs.16,75,882/- qua various works, as detailed in para 2 of the petition, executed by the petitioner alongwith interest.

The petitioner claims to be Government Contractor having been assigned various works of renovation and upgradation as well as maintenance and one of the allotment letter issued vide EE No.6252 dated 02.09.2020 is Annexure P-1.

Learned counsel for the petitioner contends that the aforesaid work orders stand successfully executed and however, the payment against the execution of the said work has not been released, even though the final bills submitted by the petitioner already stands approved by the competent

authority. He further contends that in this regard, a legal notice dated 02.05.2022 has been sent by the petitioner vide Annexure P-3 and that despite a lapse of more than three months since the date of legal notice neither any decision has been taken thereupon nor has the due and undisputed payment been released by the respondents. He contends that he would be satisfied in case the respondent authorities are directed to look into the representation and the grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

Notice of motion.

On the asking of the Court, Ms. Sunint Kaur, Asstt. A.G., Punjab, who is present in Court, accepts notice on behalf of the respondents and she has no objection to the present petition being disposed of with directions to the respondents to pass speaking order on the legal notice dated 02.05.2022 (Annexure P-3) sent by the petitioner.

Accordingly, with the consent of the parties, the present petition is disposed of and the respondent No.4- Executive Engineer, Water Supply and Sanitation Division No.1, Patiala, is directed to take note of the legal notice dated 02.05.2022 (Annexure P-3) filed by the petitioner and to pass a speaking order thereupon in accordance with law and preferably within a period of three months from the date of receipt of certified copy of this order.

Needless to mention that in the event the entitlement of the petitioner being established as per law, the payment due to the petitioner shall be released expeditiously and preferably within a further period of three months. Failure to release the said undisputed payment within the

aforesaid stipulated time frame, once found due, shall attract interest at the rate of 6% per annum till the date of actual realization.

Petition stands disposed of accordingly.

17.08.2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*