

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CWP-19499-2022

Date of Decision:01.09.2022

M/s Jindal Builders

.....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.

Mr. Saurav Verma, Addl. A.G., Punjab.

VINOD S. BHARDWAJ , J.(Oral)

Prayer in the instant civil writ petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of mandamus directing the respondents to release the due amount of ₹6,97,772/- qua the works of renovation/repair/paint of various Primary Health Centres executed by the petitioner along with interest @ 12% per annum.

The petitioner claims that he is a Govt. contractor and has executed various works assigned to him by the respondents from time to time. The details of works allocated to the petitioner during the year 2020 are mentioned in paragraph No.3 of the present writ petition. The works have been successfully completed according to the specification and without default by the petitioner and the same has been entered into the measurement book. The funds for making payment to the petitioner have been requisitioned by the officials of the Department. But till date, payment has not been released on account of non-availability of funds due to which, the

petitioner is facing financial hardships. The petitioner has already approached the respondents by way of filing representation including the legal notice dated 09.07.2022 before respondent Nos.4 and 5.

Learned counsel appearing on behalf of the petitioner contends that at this stage he would be satisfied, in case, the representation including the legal notice dated 09.07.2022 (Annexure P-3) is directed to be decided by respondent No.4 by passing a speaking order in accordance with law.

Notice of motion.

Mr. Saurav Verma, Addl. A.G., Punjab appears and accepts notice on behalf of the respondents-State. He has no objection to the prayer being allowed.

Accordingly, with the consent of the parties, the present civil writ petition is disposed of with a direction to respondent No.4 to take note of the representation including legal notice dated 09.07.2022 (Annexure P-3) served by the petitioner and to pass an appropriate order in accordance with law, preferably within a period of three months from the date of receipt of a certified copy of this order after granting an opportunity of hearing to the respective parties.

If the entitlement of the petitioner is established upon consideration of the claim and verification of the record, then the payment be released to him within a period of three months thereafter.

In case the admitted and established payment is not released in the said period, the same shall carry interest @ 6% per annum from the date of filing of the present writ petition till final realization of the amount.

September 01, 2022
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No