

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

130

CWP-19880-2022
Date of Decision: 05.09.2022

M/S VARINDER KUMAR CONTRACTOR

... Petitioner

Versus

STATE OF PUNJAB & OTHERS

... Respondents

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

Present: Mr. Chirag Girdhar, Advocate
for the petitioner.

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

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been filed under Articles 226/227 of the Constitution of the India for issuance of a writ in the nature of Mandamus directing the respondents to make the due payment of Rs.25,84,086/- including security qua the work of construction of Roads in Barnala City under Urban Mission, executed by the petitioner alongwith interest @ 12% per annum.

Learned counsel for the petitioner contends that the petitioner is a Government Contractor and has executed various works assigned to it to the satisfaction of the officers/officials concerned. It is further contended that the payment of three running bill has already been made, however, the payment of Rs.25,84,086/-, which includes the payment of 4th running bill amounting to Rs.6,35,420/- and security amount of Rs.19,48,666/- deducted from the running bills, has not been made by the respondents-department. He further contends that various representations including the latest one dated 22.07.2022 (Annexure P-4) have been made by the petitioner but no action has been taken thereupon till date.

Notice of motion.

Mr. Saurav Verma, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondents and seeks time to file response.

However, learned counsel for the petitioner contends that at this stage, he would be satisfied if the respondent No.6 is directed to consider the representation dated 22.07.2022 (Annexure P-4) and pass a speaking order thereupon within a time bound manner.

Learned State counsel does not oppose the innocuous prayer made by the learned counsel for the petitioner.

Accordingly, the present petition is, hereby, disposed of with a direction to the respondent No.6 to consider and decide the representation dated 22.07.2022 (Annexure P-4) by passing a speaking and well reasoned order within a period of three months from the date of receipt of certified copy of this order.

Needless to mention that if the claim of the petitioner is found to be genuine and payment sought to be paid by the petitioner stands undisputed, then the same shall be disbursed to the petitioner within a further period of three months from the date of decision of the representation dated 22.07.2022 (Annexure P-4), failing which the interest at the rate of 6% per annum shall entail from the date of expiry of stipulated period till actual realization.

Petition stands disposed of accordingly.

05.09.2022
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*